

A qualitative study on the international community's efforts to protect  
the civilians of Darfur, Sudan: Problems and Solutions

Joseph McCurley

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## Foreword

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### Abstract

Sudan's region of Darfur has been experiencing an internal war which has killed hundreds of thousands and displaced millions of the civilian population. For the past two years, the international community has been attempting to protect Darfur's inhabitants through a variety of political, security and humanitarian endeavors. However, death and displacement continue at an alerting rate. The purpose of this study is to define the problems the international community is encountering and propose potential solutions to provide more effective protection. The data for the study has been collected utilizing semi-structured qualitative interviews from a panel of ten experts who are intimately familiar with the protection efforts of the international community in Darfur. This synthesis of the suggestions of the interviewees will hopefully be helpful in guiding the international community's operations to more effectively address the protection needs of the local population and bring an enduring peace to the region.

## List of Abbreviations

AMIS	African Union Mission in Sudan
AU	African Union
CCT	Credible Commitment Theory
CMR	Crude Morality Rate
CPA	Comprehensive Peace Agreement
EU	European Union
GoS	Government of Sudan
IC	International Community
IDP	Internally Displaced Person
JEM	Justice and Equality Movement
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
POC	Protection of Civilians
SLM	Sudanese Liberation Movement
SPLM	Sudanese People's Liberation Movement
SSDF	Southern Sudan Defense Force
UN	United Nations
UNMIS	United Nation's Mission in Sudan
US	United States of America

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## 1.0 Introduction

Since the end of the Cold War, a new securitization has emerged to protect the rights of civilians affected by conflict (Buzan and Wæver, 2003). This might be in response to the rise in internal conflicts in which the overwhelming majority of casualties have shifted from military personnel to civilians. It is reported that 90% of all casualties occurring in intra-state conflicts today are non-combatants (United Nations Development Project, 2002).

Led by the United Nations (UN) and supported by regional partners, member states, and various agencies, the international community (IC) has incorporated a wide range of diplomatic, security and humanitarian activities in order to provide for the protection of civilians (POC) (United Nations Security Council, 1999). The recent securitization of protection by the IC has become all the more evident in the civil war torn state of Sudan. The IC spearheaded by the UN and its regional counterpart the African Union (AU) has been actively involved in protection operations on behalf of the Sudanese citizens. One domestic conflict in Sudan benefiting from the IC's protection efforts is the western region of Darfur. The three year conflict in Darfur has resulted in the deaths of around 200,000 people and the displacement of two million, a quarter of the total population (United Nations Daily News, 2005b).

The IC has been attempting to protect the civilians of Darfur who have been affected by internal conflict between state and non-state actors which are influenced by the dynamics of the region. As the conflict drags on into its third year, the IC's efforts are being questioned about their effectiveness in providing for civilian protection.

Due to the protracted involvement of the IC, its diplomatic, security, and humanitarian operations might stand to benefit from an examination by a panel of ten experts with hands-on experience in the protection activities for Darfur. Based on their input, the aim of this study is to determine the problems the IC is experiencing with its efforts to protect the citizens of Darfur and what can be done to most effectively address



these difficulties. In order to best capture the practitioners' opinions, the methodological framework to gather the data for the study utilized semi-structured qualitative interviews.

Given the complicated nature of the conflict, the study used theory to analyze some of the data collected. Walter's credible commitment theory (2002) was employed to focus on the diplomatic efforts of the IC, guided by the AU, to get a negotiated settlement out of the peace talks being discussed in Abuja, Nigeria. The study hypothesizes that one of the main reasons for the lack of POC in Darfur is that the warring parties have not abided by political commitments they have made in the past. This lack of commitment might be best addressed by Walter's theory in the application of post-conflict power sharing and third party security guarantees to encourage the negotiating parties to honor their negotiated agreements.

The IC has operated under the assumption that if there is a commitment to peace agreement in place, then by definition there will be safety for civilians (Stiansen, 2006 [Interview]). As a result, the other two components of POC, the IC's security and humanitarian activities, could stand to benefit by a peace settlement to which all parties adhere. Due to the contemporary nature of the conflict, the security and humanitarian endeavors were explored without the guidance of theory or hypothesis in order to be more adept in understanding the protection challenges faced by the IC and what measures can address them. When examining this on-going phenomenon, the data collected is based on events up until April 2006.

The study followed a structured format. Chapter two provides a more detailed understanding of the conflicts which plague Sudan with attention on Darfur and background on the POC concept. Chapter three describes POC violations by the warring parties and the IC's efforts and impact in addressing them. Chapter four outlines the research design for the study by presenting the problem, research questions, hypotheses, and methodology. Chapter five describes and discusses the results that were collected. Finally, chapter six presents conclusions of the study, along with the implications for the POC field and for further research.

## 2.0 Background on conflict in Sudan and the protection of civilian concept

### *2.1 Background of internal conflict in Sudan*

The Republic of Sudan is the largest state in terms of land area on the continent of Africa. Sudan with its population of 35 million is one of the poorest and least developed countries in the world, with most of its citizens dependent on farming and animal husbandry for their livelihoods (CIA World Factbook, 2005). The nation ranks 141 out of 177 countries on the United Nations Programs Human Development Index in terms of its standard of living (United Nations Development Project, 2005). This colonial constructed country has been in a constant state of struggle since its independence from England 50 years ago. The political government of Sudan (GoS) has followed a pattern of military regimes in support of Arab, Islamic-oriented governments (CIA World Factbook, 2005). These governments have typically come to power by way of coups and have remained in control using any means necessary (Warburg, 2002).

The GoS has fought two extended civil wars with their non-Arab, non-Muslim counterparts in the south of the country in an attempt to hold the state together. These internal struggles are considered to comprise the longest civil war in Africa to date (Norwegian Council for Africa, 2003). The conflict between the GoS of the north and the Sudanese People's Liberation Movement (SPLM) representing the south, are rooted in what is seen as a political and economic marginalization of the southern areas outside the GoS's nexus of power in the Upper Nile Valley region of Khartoum (Deng, 1995). This marginalization is based on a clash of contrasting and seemingly incompatible identities between the Arab north and the African south of the country (Ibid).

The past 20 years have witnessed the conflict between the north and the south producing a death toll of two million and displacing over four million of the civilian population (Norwegian Council for Africa, 2003). In January 2005, the GoS and SPLM signed a peace agreement in Nairobi, Kenya that ended the hostilities between both sides. The Comprehensive Peace Agreement (CPA) provided power-sharing, wealth-sharing, and external third party security guarantees by the UN for the two parties

(Intergovernmental Authority on Development, 2005). It has also granted the SPLM political autonomy for the south for a period of six years, until a referendum for independence can be held (Ibid).

Unfortunately, the recent achievements of the CPA in concluding the conflict between the north and south have been overshadowed by an increase in fighting both in the eastern and western parts of the country. Starting in 2004, the east of Sudan has been shaken by violence between the GoS and various rebel groups such as the Beja Congress. These groups, known collectively as the Eastern Front, have retaken areas vacated by the withdrawing of the SPLM (Economist, 2005a). Supported by Eritrea, this low-intensity conflict of eastern Sudan threatens the GoS's oil interests (Ibid). The extraction of oil from Sudan has increased the Gross Domestic Product by an impressive 8.6% in 2004 (CIA World Factbook, 2005). Its discovery has also attracted desperately needed foreign oil investment from countries like China, India, and Malaysia to diversify the agricultural base economy of Sudan (Afrol News, 2005).

As noted by the International Crisis Group (2006a) on a report of the eastern region of Sudan, the escalation of violence is attributed to the same political and economic underdevelopment that has been cited as cause for the conflict between the north and south. The Eastern Front saw the achievements that its southern counterpart, the SPLM, has made waging war with the GoS by getting a peace agreement that finally began to alleviate the marginalization of the south. The exclusion of the Eastern Front from the CPA has resulted in a low-intensity counterinsurgency that runs a major risk of exploding into an all-out conflict threatening the civilians of the region, international oil interests and involving regional dynamics such as Eritrea's support for the Eastern Front (Ibid). The GoS is reported as having three times as many troops in the relatively small eastern part of the country as in the larger region of Darfur to protect its precious flow of oil through a pipeline to Port Sudan (Economist, 2005a).

### 2.1.1 Internal conflict in Darfur

The exclusion of people and areas outside the north and south of the country from the CPA has created second-tier conflicts which are intra-state and intra-regional in nature (Mbugua, 2005). The most distinguished case of this occurring is in the western part of the country in Darfur. This inland region with a population of around seven million has witnessed an increase in violence that has been described as genocide by the United States government (Washington Post, 2004).

The geographically isolated three provinces of Darfur have had a long history of neglect by the British and the GoS (Prunier, 2005). Their political and economic marginalization has resulted in a state within a state where gross underdevelopment is the norm rather than the exception. The poverty of the region has resulted in a certain level of violence being acceptable in Darfur by the authorities in Khartoum (Flint and De Waal, 2005). Banditry and lawlessness have plagued this region that borders Chad for the past few hundreds of years.

Until a few years ago, not much attention was ever paid by Khartoum or outside Sudan to this inaccessible territory (Ibid). Darfur's history of underdevelopment had been a way of life for its people, who had occasionally used violence to voice their frustrations, but on a small scale. The fragmentation of Darfur with its composition of various tribes and different socio-economic ways of life has made it difficult for the region to put together a cohesive struggle against the GoS and its marginalization of the region (Prunier, 2005).

The historical lead to the widespread violence that plagues Darfur today is rooted in four factors. The first is that of the marginalization of the Darfur provinces. Recent evidence to this can be documented in the *kitab al-aswad*, or so-called "Black Book," literally spelling out the monopoly by Arab tribes in the Nile Valley of Khartoum and the subjugation of the Darfur region. Written anonymously, the book (2000) makes a statistically structured case of what has been known all along by the people of Sudan. It describes how almost all of the political and material power of Sudan resides in just 5% of the total population in the Upper Nile valley of the north. Despite Darfur having 30%

of the population of the entire country, Darfur has received on average a grossly unjust proportion of the cabinet level appointments to government and just about 4% of the total national wealth to its three provinces (Ibid).

The second factor seen as a catalyst to the upsurge in violence in Darfur is that of the success of the SPLM in its political negotiations with the GoS after years of civil war. With 24% of the population, the south represented by the SPLM, will receive 30% of all jobs within the government's central administration and will divide the oil revenue from the south 50-50 with the GoS (Intergovernmental Authority on Development, 2005). These quite generous terms by the CPA have inspired the regions of the east and west to seek out armed struggle as a means by which to force the GoS to the negotiation table in hopes of improving the lopsided balance of political power and economic wealth among the regions of Sudan (International Crisis Group, 2006a).

The third factor which has set the stage for the internal strife in Darfur is the scarcity of resources that has beset this barren territory in the past 20 years (De Waal, 2005). The socio-economic make-up of the region had created two distinct ways of life. The agriculturist tribes of the Darfur who are Islamic "Africans" and the nomadic "Arabs" tribes, who had previously enjoyed a harmonious relationship of cooperation, began to have to compete over land and water resources that are not able to support both ways of life (Ibid).

Due to changing climatic conditions beginning in 1984, a severe famine hit the horn region of Africa (Prunier, 2005). Its impression inspired the western music community to write songs about it like "We are the World" and to televise one of the first global relief concerts. Unfortunately, this embodiment of a collective spirit had a difficult time finding its way out to the landlocked region of Darfur in way of food relief (Ibid).

The famine of 1984 changed the means of existence for the settled "African" farming communities and the nomadic "Arab" tribes of Darfur. Author Alex De Waal (2005) highlights how the drought shrunk the grazing resources of the nomadic population. The settled farmers had to fence off their cultivated lands and watering holes

to protect their meager resources. This blocked the traditional migratory routes of the nomads who were moving from the dry north regions of Darfur to the wet southern parts on a seasonal basis. The pastoralists had to resort to fighting their way through the fenced off communities of the agriculturists. The battle over land upset the mutual dependence to which the two communities had grown accustomed in their commercial activities of trading with one another (Ibid). The polarization of the two sides was only to be exacerbated when the region of Darfur was turned into a launch pad for Libyan attacks into neighboring Chad.

The fourth ingredient that prepared the explosive cocktail for the situation in Darfur today was the arming of the Darfur by its neighbors, Chad and Libya in the mid to late 1980s. Gerard Prunier (2005) in his book, *Darfur: The Ambiguous Genocide*, gives an historical account of the important roles Chad and Libya played in Darfur in the wake of the devastating famine of 1984. The GoS let the polarization of the Darfur occur between the “African” and “Arab” communities by Chad and Libya to deflect the neglect of the region by the GoS itself (Ibid).

Prunier (2005) describes how in a desperate need to finance its war against the SPLM of the south, the GoS under the leadership of Sadiq al-Mahdi permitted the presence of the Libyan military on Darfur soil. The Libyans began arming the local “Arab” nomadic tribes to prepare for an invasion into Chad. It was within this context that the infamous word, *Janjaweed*, was first mentioned to describe the local elements of Libya’s “Arab” allies fighting along constructed lines of ethnicity. In order to combat the Libyan threat, Chad funneled weapons into the “African” tribes of the territory and the ethnic cleavages between the two communities took on more substance (Ibid).

Raids across the border between Chad and Darfur began to occur frequently. In fact, the current President of Chad, Idriss Deby, launched his take over of the country from Darfur backed by Libya in 1989. Once Omar Gaddafi had a pro-Libyan president in Chad in place, the Libyan interest in Darfur waned and the region was vacated by the Libyans. In their wake was an impoverished area divided along ethnic lines flooded with weapons (Ibid).

The past 15 years have let the ethnic divisions along land usage solidify within a region that has been abandoned by the central government of Khartoum. The general lawlessness and discontent of the Darfur provinces have permitted a festering of malice towards the GoS. The 1990's observed occasional acts of sporadic violence towards the GoS (Flint and De Waal, 2005). However, it was not until February of 2003 that the region erupted into organized violence on a widespread scale based on the four previously listed factors. The two main anti-government groups, the Justice and Equality Movement (JEM) and the Sudanese Liberation Movement (SLM), attacked government garrisons in Darfur and the GoS began to mobilize to crush the rebellion by force (Mans, 2004).

All of the non-state fighting parties involved in Darfur such as, the JEM, the SLM and the *Janjaweed*, are said to be composed mostly of unemployed young men who have turned to these armed groups as means for making a living in a region that is plagued with poverty and lack of opportunity (Ibid). Such a condition of having so many unemployed young males without an economic future is noted by scholar, Paul Collier (2001), as being a prevailing factor found in common with many civil wars in Africa.

In the eyes of the GoS, the Darfur conflict is based on a war of aggression since the GoS military came under rebel attack first (Mans, 2004). The GoS's heavy handed tactics in response to the counter-insurgency appear to be aimed at the civilians based on reports conducted for the UN Security Council (International Commission of Inquiry 2005; Office of the United Nations High Commissioner for Human Rights, 2005). This approach has quickly carried the region of Darfur into a crisis situation which so much of the international community's resources and attention are aimed at curbing the violence directed towards the local population.

*2.1.1.1 Actors and levels involved in the conflict in Darfur.* Within the context of the conflict of Darfur there is the involvement of state and non-state actors who operate at the local, state and regional levels. At the root of the conflict there is the GoS, the main state unit at which the aggressions of the opposition groups of Darfur are directed. The

JEM and the SLM are two of the non-state actors which are fighting against the GoS in response to what they claim are decades of political and economic neglect of their region (Mans, 2004). However, both the JEM and the SLM have very different backgrounds. The SLM contains some elements of the SPLM, the main opposition group in the south, who for years has tried, but failed to establish a second battlefield in Darfur to combat the GoS during the early 1990s (Ibid). The JEM, on the other hand, is an Islamic organization guided under the teachings of Hassan al-Turabi, a well-known leader in Sudan's political arena (BBC News, 2006b). The JEM is viewed as more of an extremist Islamic element within the political landscape of Darfur (Ibid). Along with the JEM and the SLM are a myriad of smaller tribal factions and other armed militias that operate in Darfur both in support and against the GoS. These groups have not come to receive the same diplomatic attention that the JEM and the SLM have. However, their presence adds to the chaotic landscape of Darfur with all of its various tribal and ethnic groups. It can be difficult to grasp where the true interests of the people lie with so many local factions waging war in Darfur.

Within the GoS camp, there are non-state units serving as the GoS's proxy military arm in the Darfur region (International Commission of Inquiry, 2005). Arab militia groups like the infamous *Janjaweed*, composed of elements of the nomadic population, is a force which the GoS is using to wage much of its war in Darfur. The *Janjaweed* operates with complete impunity from the GoS and has been mentioned by the IC's observers in the region as the one actor who carries out many of the atrocities directed at civilians (Office of the United Nations High Commissioner for Human Rights, 2005). This local actor with state support is a main element in the Darfur conflict.

As noted by Prunier (2005) outside the state and local levels, there is also the influence of the regional powers which have exerted influence and control within Darfur. Chad and Libya have in the past waged war against one another through the lawless conduit of Darfur. Their impact on the Darfur region has resulted in the rise of importance of the regional level. In the conflict crisis itself, the funneling of weapons to the opposition parties by Sudan's neighbors, such as Chad, Libya and Eritrea are noted as



having a profound manipulation on its security dynamics (United Nations Security Council Committee, 2005). Such an influence can be explained by Buzan's and Wæver's (2003) post-Cold war theory, Regional Security Complex Theory. This theory postulates that the removal of the bi-polar overlay of the superpowers at the global level will permit more room for the regional level to operate. This is based on its main tenet that threats are more likely to travel over shorter distances than longer ones. The role of geography is to have more of an impact on security relations which is all the more evident in the case of the Darfur where regional dynamics have taken on a lead role.

Along with the rise in importance of the regional level in Darfur, as captured by Buzan's and Wæver's Regional Security Complex theory, is the acknowledgement of new securitizations which have arisen after the Cold War. No longer is territoriality the sole justification for the IC to concern itself in the affairs of states (Ibid). The IC has embarked on a journey to protect civilians' right to life and dignity if their government is unwilling or unable to do. Darfur has become a stage where the IC acts out this new securitization. In order to understand the protection concept is necessary to provide some background and a working definition which the IC follows.

## *2.2 The International Community's concept of Protection of Civilians*

The UN first mentioned the concept of protection of civilians in 1998 by the Secretary-General in a situation report on Africa (United Nations, 1998). The phrase is an encompassing concept of humanitarian policies which brings together protection elements from a number of fields. The definition of protection of civilians in armed conflict employed by the UN is:

'Structures and Policies developed by the United Nations, States and other humanitarian actors, and based in humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict, ranging from the most immediate priorities of minimizing civilian casualties to more long-term priorities of promoting rule of law and security, law and order within a State' (United Nations Office of Coordination for Humanitarian Activities, 2003).

The sources of these three laws (humanitarian, human rights and refugee) are based on treaties and customary international law. Customary international laws are unwritten norms created by practices that are adhered to by states out of a sense of legal obligation (Slim, 2002). Examples of these customary laws or norms are the prohibition of slavery or genocide. As by the IC, protection of civilians is viewed as a duty by the state. If the state is unwilling or unable to comply with the protection standard set by the three laws, a trend is emerging by the IC to take it upon itself to provide for the safety of the state's civilians (Buzan and Wæver, 2003).

As stressed by Slim (2002: 159), when providing for the protection of another state's citizens, the IC has taken on broad operationalization of the term '... to describe all forms of humanitarian action, military intervention, social, economic and legal action in support of civilians in war.' This is a giant step forward from the protection activities that the IC limited itself to during the Cold War which strictly dealt with determining the status of refugees or prisoners of war discussed within specialized circles of international lawyers (Ibid). As evident in Darfur the concept of POC has ballooned into an undertaking which, when put into practice, is not a trivial exercise.

In truth, the definition of POC seems to come across as the main operationalization within the United Nation's own Founding Charter whose preamble reads:

'...to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom...' (United Nations, 1945:1).

The context of the Founding Charter was written in the aftermath of two inter-state world wars, yet its message to assert the fundamental rights of humanity under a banner of legal obligations is clearly echoed today. For the citizens of its member states this

would take some time before its fruition, with the UN left paralyzed for the next 50 years by the Cold War that was to immediately follow its inception.

The securitization of human rights would be re-established after the end of the Cold War (Buzan and Wæver, 2003). This watershed in international relations witnessed a rebirth in the ideals upon which the UN had originally been based. The UN began a campaign to uphold and enforce a magnitude of treaties and laws such as the Geneva Conventions directed at preserving the individuals' inalienable rights to life and liberty that had been tabled during the Cold War (United Nations Security Council, 1999). This means that the IC has begun to involve itself in the affairs of its member states. In doing such, the issue of sovereignty comes into play. Sovereignty is a previously untouchable concept has taken a backseat to the issue of human rights. Organizations like the African Union whose previous Charter from its predecessor, the Organization of African Unity, preached a maximum of non-interference in the affairs of its member states (Organization of African Unity, 1963). Now the concept of sovereignty can be questioned within the context of this emerging norm of civilian protection.

The case in Darfur is one of the first new undertakings of the newly created AU to subject a member's sovereignty to the POC concept. Sudan, acting on its own accord, has bound itself to a number of laws and treaties which it is legally obligated to uphold. These responsibilities are beginning to be enforced for the first time by the IC for all the parties in Darfur. Before these obligations to protect by the Sudanese parties can be described, it is first necessary to map out the players and levels which compose the IC in Darfur.

### *2.2.1 Actors, Levels, and Securitization concerning the International Community's Protection Activities in Darfur*

The protection of civilians is one of the justifications used by the IC to engage itself in the inter-workings of Darfur (United Nations Security Council, 2004a). The international community has worked its way into the dynamics of the situation with this latest securitization. At first glance, the IC appears to act as a cohesive entity

representing interests of all of its members (United Nations General Assembly, 2005). However in Darfur, there are fault lines which are starting to emerge with the IC's handling of the POC crisis. This adds some doubt as to its collective nature in implementing its protection operations.

The term, the international community, refers to a massive body composed at the global, regional, state, and agency levels. Based on remarks by UN Secretary-General Kofi Annan (1999), the definition which this study has embraced is that the international community is led by the UN and composed of its regional partners, member states, and various agencies. Its members are both state and non-state actors. These member nation-states run the gamut of pre-modern states, modern states, and post-modern states. The regional organizations based on these states are as a result founded on a varying degree of economic, social and political progresses. The agencies which are included within the IC are also viewed as representing a wide variety of platforms. All these units comprise a complex body which is attempting to wield itself in a uniform manner regarding the IC's POC efforts.

At the global level there is the superpower presence of the US, which is seen as having ability to influence the warring parties in Darfur and the overall agenda of the IC (Buzan and Wæver, 2003). On that same plane, there is the non-state unit, the UN, which is able to act globally with its current count of overseeing 15 peacekeeping operations comprised of 70,000 troops (United Nations Peacekeeping Operations 2006).

Understandably, the UN is only as strong as its political ruling body, the UN's Security Council, will let it be. The permanent members that sit on the UN - England, France, Russia, China and the US – are the agents from whom the UN draws its main will and ability to act. Within the permanent members of the Security Council there is a varying degree of political, economic and social development. On one side of the fence there is England, France, and the US, who have democratic governments and a publicized record of promoting human rights. On the other side there is China and Russia, who have been noted as not being the champions of human rights as their western counterparts. In past experiences, such as the US led invasion of Iraq, even getting such western,

developed nations as England and France to pull together can be a cumbersome challenge.

Almost on par with these states is the post-modern construction, the European Union (EU). Just like the UN, this regional body is only as strong as the will of its member states. The EU is an advocate for human rights and is funding 60% of the African Union's peacekeeping mission in Darfur (Sudan Tribune, 2006a). At the same regional level, there is the AU, although it is not as financially stable or politically and socially developed. This regional organization is very dependent on its western supporters for its operations. In the case of POC in Darfur, the IC has turned to the AU to direct the security and diplomatic efforts in solving the crisis (United Nations Security Council, 2004a). The AU is composed almost entirely of pre-modern states that are recognized as having strikingly similar problems which are associated with weak or failing states like the Sudan (Buzan and Wæver, 2003).

Playing a limited role, but assisting the AU is the North Atlantic Treaty Organization known as NATO. This military collective is using its vast logistical and training resources to supplement the AU's efforts in Darfur (North Atlantic Treaty Organization, 2006). Though purely a military outfit, NATO has had a track record in the Balkans and Afghanistan of providing safety for civilians.

There are other regional organizations like the Arab League which is composed of states that have some economic clout, but with shortcomings in its members' political and social stature. The Arab League has been critical of the western led initiative in Darfur due to previously led US invasions of Iraq and Afghanistan. All four of these very different collective organizations make up the IC at the regional level in regard to its POC activities in Darfur.

At the state level, there is a mixture of units which have taken an interest in Darfur. Many are developed western nations which first became involved in Sudan as a result of supporting the Christian south of the country in its armed struggle against the Arab north with humanitarian assistance during the civil wars. EU and Non-EU members like Norway and Canada have continued to play a role in the Sudan by assisting the

protection efforts of the IC in Darfur. On the opposite side of the spectrum, there are individual Middle Eastern states which are funneling either financial or political support to the GoS to combat the infringement on Sudanese sovereignty by the west in its efforts to securitize the rights of the individual in Darfur (Sudan Tribune, 2006b). At the state level, the humanitarian situation in Darfur appears to have divided the IC along cultural and developmental lines.

At the agency level, the UN supported institutions, non-governmental (NGOs) and intergovernmental organizations, such as the United Nations High Commission for Refugees, Center for Humanitarian Dialogue, and International Committee for the Red Cross, to name a few, have taken on a very active role concerning the IC's protection activities. There have been new developments concerning these agencies roles by building capacity within the warring parties by promoting awareness of their human rights obligations and even facilitating negotiation between the parties in Darfur. These roles have in the past been typically reserved for just state actors (Buzan and Wæver, 2003). However, the post-Cold environment has really opened up the playing field for non-state actors in international relations (Ibid).

The IC's efforts in Darfur highlight a post-modern agenda which is testing the commitment of the IC's members. The securitization of human rights is a new concept for the IC that has recently picked up steam in the post-Cold War era (Ibid). The developed western states and collective organizations that represent them, like the European Union or the United Nations, have come to prioritize the importance of the individual to that of the state.

During the Cold War, the only securitization that caused states to intervene in each other's affairs was the issue of territoriality (Ibid). Now some members of the IC have monopolized and expanded the security agenda of the IC with a post-modern outlook. These wealthy members are typically the ones who have a secure, developed state structure and no longer have to fear the violent transfer of power which is still common in many other less developed countries (Ibid). As a result, the POC situation in Darfur is serving as litmus test for the IC. With all its various members, the IC is struggling to

overcome its diverse nature to insure that the lives and welfare of the citizens of Darfur will be protected.

It is ironic that in such an inland, backwater region of the world, Darfur is witnessing so many different actors interacting at various levels in an attempt to come to its population's aid. The IC's efforts in enforcing a new securitization will serve as an experiment to determine future POC operations. With the map of the actors and levels laid out, POC can be explained in the context of Darfur concerning the obligations to protect by the warring parties.

### *2.2.2 Obligations of the GoS and warring factions for the protection of civilians*

Prior to the eruption of conflict in Darfur, the GoS was a signatory to the four Geneva Conventions of 1949 which are the most noted examples of international humanitarian law in times of conflict (International Commission for the Red Cross, 2003). In regard to the conflict in Darfur, the Fourth Geneva Convention of 1949 is of significant importance. This convention deals specifically with the protection of civilians during times of war (International Commission for the Red Cross, 1949). The other three Geneva Conventions are related to the treatment of combatants as prisoners of war or casualties (American Red Cross, 2001).

In order for the Fourth Geneva Convention to be applied to an internal armed conflict, the conflict must meet the definition of war (International Commission for the Red Cross, 1949). There are varying interpretations of what war is, from the Uppsala University definition of a minimum 25 battlefield deaths a year to the Correlations of War project that suggests a minimum 1,000 battlefield deaths a year (Sollenberg, 1998; Singer, 1976). Regardless, it can be reasonably argued that the Darfur region is experiencing a conflict that easily satisfies the criteria for the definition of war. The conflict in Darfur has moved well beyond the random acts of banditry and aggressions of a low-intensity conflict that the GoS has assigned to it. The number of dead as a result of the conflict is put at a conservative 200,000 in just two years (United Nations Daily News, 2005b).

The Fourth Geneva Convention affirms the state and its internal opposition parties must protect the people who are taking no part of the conflict from murder, rape, torture and inhuman treatment (International Commission for the Red Cross, 1949). The actors in the conflict must also provide humanitarian access to neutral organizations such as the International Committee of the Red Cross to assist all affected parties and populations (Ibid).

It is also the duty of the GoS as a state that is bound to the customary rules of international humanitarian law to protect its own civilians against acts of violence, acts of pillaging, and to ensure that when its military is attacking rebel objectives, that the civilian casualties are not disproportionate to its own anticipated military gain (Office of the United Nations High Commissioner for Human Rights, 2005).

The GoS is party to a long list of treaties expressing this protection concept. Noted examples include: the International Covenant on Civil and Political Rights (United Nations General Assembly, 1966a) and the International Covenant on Economic, Social, and Cultural Rights (United Nations General Assembly, 1966b). Within these two covenants specific articles pertain to: the freedom of movement, right to property, right to adequate housing, non-subjection to forced eviction, right to health and right to adequate food and water. All of these articles fit within the protection wrapper the IC has made a priority to enforce.

The GoS has undoubtedly declared a willingness to be a member of the IC and its agenda to protect civilians in armed conflict by signing these treaties. Yet, in recent years there has been documented evidence that this is not the case in Darfur. Long lists of atrocities have been cited in violation of the previously listed treaties and obligations which the GoS supports (African Union Ceasefire Commission, 2006). Acts of violence in Darfur against its inhabitants have been recorded by many different facets of the IC (Ibid; Office of the United Nations High Commissioner for Human Rights, 2005). A clear case can be made that the warring parties and most troubling, the GoS, are in outright defiance of their contractual obligation to protect their citizens.



### *2.3 Summary*

Chapter two has provided the background on the conflicts in Sudan with special attention on the region of Darfur. The actors and levels have been mapped out to assist in the understanding of all the parties involved. With the contextual background presented, a brief history and working definition of POC has been supplied along with a description of its operationalization. The study has also listed all the units, levels and securitization of the international community which are viewed as influencing the POC concept in regards to Darfur. Due to the crowded landscape of the IC's involvement, order has been instilled by dividing the players into different levels.

Within the perspective of Sudan, an account has been presented of all the warring parties' responsibilities to protect their population as a result of treaties they have signed and laws they have committed themselves to follow. The background on the Darfur conflict and POC concept will transition into the violations of POC which have been carried out by the fighting parties in Darfur and the international community's efforts and impact thus far in attempting to lessen their harmful effects on the inhabitants of the region.

### 3.0 Violations of the protection of civilians in Darfur and the international community's efforts and impact in addressing them

#### *3.1 Violations by the Government of Sudan and warring factions regarding the protection of civilians in Darfur*

Mandated by the United Nations Security Council in Resolutions 1564 (United Nations Security Council, 2004b) and 1591 (United Nations Security Council, 2005), investigations into the allegations of violations of international humanitarian law and human rights law have been published in two reports: the *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General* (International Commission of Inquiry, 2005) and the *Second Periodic Report of the United Nations Commissioner for Human Rights on the Human Rights Situation in Sudan* (Office of the United Nations High Commissioner for Human Rights, 2005). Both these reports address the allegations of abuses by the GoS and warring factions in the context of Darfur within a period from early 2003 to late 2005. These reports, supplemented by reports of the African Union Ceasefire Commission (2006) and NGOs published accounts like the Physicians for Human Rights (2005), document a long list of atrocities which breach the humanitarian treaties and laws the GoS and its opposition parties are obliged to uphold.

The UN reports assert two irrefutable facts regarding actions taken against the citizens of Darfur (International Commission of Inquiry, 2005; Office of the United Nations High Commissioner for Human Rights, 2005). The first is that there has been massive displacement of the population both internally and externally into neighboring Chad. Millions of people have been forced to leave their homes. Second, there has been large-scale destruction of villages within the three provinces of the region. As stated in the reports, this is based on an abundance of physical evidence of villages being burned down with only their walls left standing to acknowledge their previous existence.

Based on eyewitness testimonials from the UN reports by thousands of refugees and internal displaced persons (IDPs), a pattern of humanitarian abuses has emerged within the reports (Ibid). Government troops in uniform, accompanied by local

*Janjaweed* militia groups, and in most cases with aircraft support, surprised and attacked villages with deliberate and indiscriminate violence directed at its civilian population. Documented acts of violence include: the killing of civilians, rape, pillaging, destruction of property and forced displacement. These acts occurred on an organized, widespread scale throughout all Darfur. Those who were most affected were the settled, farming communities in this inhospitable environment whose populations were required to flee to escape the violence (Ibid).

With its location at the foot of the Sahara desert, the terrain of Darfur is a difficult place to survive. As noted by the reports, without the protection of their villages from the extreme elements, many people died as a result of starvation, dehydration, and disease. The Physicians Report (2005) on its survey of three separate villages point out that household averages for each family had been halved from twelve members to six members as a direct or indirect result of the attacks. The elimination of access to food, water, shelter, and medicine along with a complete loss of farmland, livestock, and all earthly possessions has created a population whose ability to survive has been severely limited (Ibid).

With land being the main source of wealth for the people of Darfur, the forced displacement has taken away any and all means for making a living. Along with the lack of infrastructure in Darfur, the ability to provide basic services to the civilians has fallen completely on the shoulders of the IC. Unfortunately, the GoS is being very obstinate in permitting humanitarian assistance to be carried out in Darfur. Visas have been routinely denied, food aid obstructed from reaching its intended destination, and even the humanitarian worker themselves have been held hostage (International Commission of Inquiry, 2005; Office of the United Nations High Commissioner for Human Rights, 2005). The task of providing basic services for the civilians of Darfur has become a struggle for the relief organizations attempting to cooperate with the GoS as well as rebel groups. These obstructions are a blatant breach of the Fourth Geneva Convention (Ibid).

The above mentioned actions taken against the civilian population and humanitarian workers are in direct violation of the treaties and customary international

laws to which the GoS and warring fractions are a party (Ibid). Specifically in the unforgiving environmental context of Darfur, depriving the population of adequate housing, food, and water can severely decrease the chances of survival. One repeated story within the Physician's report is a survivor overhearing one attacker telling another, 'Don't even bother. Don't waste the bullet. They've got nothing to eat. They'll die from hunger' (Physicians Report, 2005: 69, 93).

The GoS has answered these allegations of violations from the UN reports by saying that it carried out attacks on villages that were in response to rebel activity being conducted in the area. There are two faults to this argument as highlighted by the UN Security Council mandated reports (International Commission of Inquiry, 2005; Office of the United Nations High Commissioner for Human Rights, 2005). The first is that even if rebels were in the area or the village themselves, the citizens were never given any warning or ability to leave before the battle took place. The commissions found that a rebel presence was only in the villages in a very small number of cases. Moreover, even if the rebels were present, the military attacks on the civilians, their property, their homes, their livestock, and land were significantly disproportionate to any threat posed by the rebels. This is a violation of customary international law (Ibid).

Along with the human rights abuses of the GoS documented by the UN reports there has also been a pattern of failing to protect the civilians of Darfur. The GoS has had a legal obligation to prevent the attacks, as well as to bring the perpetrators to justice. One noted example representing this case and point is when the GoS in September of 2005 stood idly by while the village of Guzminu was attacked within 300 meters of a GoS army base. The GoS troops stayed in their barracks while seven people were killed. When the civilians attempted to seek refuge in the military compound during the attack, they were fired on by the GoS army (Office of the United Nations High Commissioner for Human Rights, 2005).

When attacks have occurred, the GoS police have been unwilling or cited being unable to investigate the scene. Even when a beating took place of a citizen by members

of the local Arab militia within a few hundred meters of a police station, the police did not respond to requests to inspect the scene of the crime (Ibid).

The GoS has excused its failure to protect as well as prosecute based on a lack of resources such as fuel, areas being unsafe to travel, and orders not to leave their station (Ibid). Lack of political will is mentioned within the UN reports as a source for the GoS failure to fulfill its obligations as a state whose duty it is to protect its own citizens. The past two years have witnessed the IC having to fulfill the neglected duties of the GoS with a three pronged approach.

### *3.2 International community's efforts and impact in Darfur*

#### *3.2.1 The international community's efforts and impact in addressing the Government of Sudan's violations and neglect of its protection obligations*

As previously mentioned by Hugo Slim (2002), the operationalization of protection by the IC has taken a trident strategy. Attention has been focused in the areas of political action, humanitarian operations, and security missions. All these activities are aimed at supporting civilians caught up in war to address their protection needs. According to the UN, these needs fit within a broad range of the POC concept. The spectrum of efforts by the IC varies when addressing the most immediate priorities, which are the minimization of casualties, compared to the more long term priorities, which are the promotion of a rule of law and order within their state or local community.

In line with the POC definition (refer to text 2.2), in the context of Darfur, one can logically argue that the most important effort by the IC should be to cease the direct and indirect killing of civilians. The IC has taken on a number of protection efforts within the three fields in an attempt to achieve these ends. Humanitarian operations are being carried out to assist in the housing and feeding of the displaced population, security is being provided in an indirect manner, and political efforts are encompassing social, economic, and legal action. These fields are also trying to promote a more long-term solution to the POC problem which includes the volunteer return of the displaced

population to their home communities. The efforts and impacts concerning these three fields will be described to underscore the need in proposing the research questions.

*3.2.1.1 The efforts of the diplomatic activities by the international community in Darfur.* For the past two years the IC, mainly through the regional organization of the AU has been pushing for a peace agreement to be reached on the Darfur crisis. The AU has brought together the GoS, the SLM and the JEM for a series of peace negotiations in the Abuja, Nigeria. These on-going talks are seen as the means by which lasting peace in Darfur can be achieved and the POC situation can begin to be resolved.

The provisions being discussed in Abuja mirror Barbara Walter's credible commitment theory (CCT) (2002) which include power sharing measures and third party security guarantees. These conditions are viewed as the necessary formula in achieving a lasting peace in the Darfur and eventually propelling the millions of displaced to return home.

CCT is a well researched theory founded on the successful factors which are needed for warring parties in an internal conflict to fulfill their commitments to a negotiated agreement. Walter's (2002:5-6) CCT makes the case that, 'Only if a third party is willing to enforce or verify demobilization, and only if the combatants are willing to extend power-sharing guarantees, will promises to abide by the original terms be credible and negotiations succeed.' CCT is rooted in evidence collected from 72 negotiations which were conducted to end internal conflicts in the second half of the 20<sup>th</sup> century. In all these negotiations, only a third resulted in the conclusion of the conflict with a successfully implemented peace agreement. In the cases in which the warring parties did implement an agreement, a third party was present to provide security guarantees during demobilization, and post-conflict power sharing conditions in the first postwar government had been nurtured during the negotiations. It is from this evidence that CCT postulates the need to apply third party security guarantees and power sharing devices to all internal conflict negotiations (Ibid).

The application of CCT can be witnessed in the recently negotiated Comprehensive Peace Agreement between the GoS and the SPLM. In this case, third party security guarantees and post-conflict power sharing are the conditions that are getting both sides to stick to their agreement (Bischoff, 2005). This practical application of CCT to the negotiated peace agreement between the north and the south might serve as a close- to- home example for the conditions that need to be promoted by the IC for resolving the conflict in Darfur. By having a working conflict resolution mechanism in place, the destructive byproducts of the conflict such as the lack of protection for the civilian population could be better addressed.

Regrettably, as of April 2006, despite assurances by Kofi Annan that an agreement would be reached by the end of the 2005, the talks in Abuja continue (Secretary-General's Monthly Report to the Security Council on Darfur, 2005). The IC is patiently awaiting the outcome of the peace talks in Abuja that are structured around CCT. The peace talks are the only known conflict resolution mechanism in reaching a political agreement to which all parties will commit so that long-term safety of civilians can be insured.

Prior to the start of the peace talks in August, 2004, the Centre for Humanitarian Dialogue (2006) in Geneva pushed for the first negotiated agreement between the GoS and opposition parties under the auspices of Chad and the AU. The Humanitarian Ceasefire Agreement signed in April 2004 was the first diplomatic effort by the IC to set stage for the regional, state, and local dialogue among the parties fighting in Darfur. The Humanitarian Ceasefire Agreement within its Political Preamble was, '...convinced of the necessity of the establishment in Darfur of a democratic political culture to guarantee to the populations of the region their political, economic and social rights...' (Joint Ceasefire Commission, 2004: 1).

In accord with its Political Preamble all the parties involved agreed to give up the use of force as a means of settling their differences. It set forth an end of hostilities to ensure a '...fast and unrestricted humanitarian access to the needy populations of Darfur...' (Ibid). The warring parties were also to refrain from any violence carried out

on the civilian population. To monitor these commitments, a Chadian lead, AU-sponsored Joint Ceasefire Commission was established (Ibid).

Based on the ceasefire agreement, the UN and the GoS agreed on a UN sponsored Darfur Plan of Action (United Nations, 2004), also known as the Pronk Plan, named after the UN's Special Representative of the Secretary-General in Sudan, Jan Pronk. This agreement at the strategic level would serve as the blueprint for the massive humanitarian operation that was being strengthened in the summer of 2004 to protect the citizens of Darfur in absence of a soon to be deployed AU led third party security force. The plan called for the creation of safe areas for the displaced people of Darfur with security provided by the GoS police and armed forces. Pockets of security would be established around high concentrations of the IDPs to make sure that people could continue to farm and move between food and water sources. All offensive military operations by all parties would cease in the proposed safe areas, and the Joint Ceasefire Commission was charged with its implementation (Ibid).

There are other areas besides political agreements that the IC has been attempting diplomatically to influence the GoS and warring factions in regards to their violations of POC in Darfur. Economic and legal measures like sanctions and an armed embargo have been imposed by states and organizations against the GoS and warring factions. However, due to divisions within the IC and its members' foreign policies, these efforts appear not to carry the weight that will actually get the parties to respect the welfare of the citizens of Darfur.

An article in *The Economist* (2005b) stresses this particular case in point with the world's super power, the US, having a contradiction within its own foreign policy concerning the GoS. The world's largest aid donor, USAID gives Sudan billions in development aid along with support from the US's Central Intelligence Agency to get the GoS's support in the war on terror (Ibid). However, the US State Department lists Sudan as a country which still sponsors terrorism, and the US Congress has maintained trade sanctions against the country for a number of years (Ibid).



This diplomatic mixed signal sent out by the US typifies the IC's lack of political coordination within its wide-reaching ranks. The divisions within the United Nation's own Security Council are seen as obstacles to developing a comprehensive IC agenda to get the GoS to buy into the notion of a 'Responsibility to Protect' (United Nations General Assembly, 2005).

The Security Council within Resolution 1564 (2004) suggested employing oil sanctions against Sudan regarding its failure to protect its civilians. The oil which has been recently discovered is viewed as a main source of the GoS's income to fund military operations. Yet, due to the presence of China on the Security Council, observers note that this recommendation is unlikely to materialize (Reuters, 2005b). Arguments have been made by Nelly Swilla (2004) at the Center for Strategic and International Studies that oil sanctions would have the unintended consequence of isolating Sudan further by strengthening its relationship with China, sending already record high oil prices skyrocketing, and prompting members of the Arab League to see this act as a typical western anti-Arab plot.

*3.2.1.2 The impact of the diplomatic activities by the international community in Darfur.* In the two years since the creation of the Humanitarian Ceasefire and the Darfur Plan of Action, the influence of these political sponsored efforts can be seen as a not impacting the POC situation as much as was hoped for. Reports from the African Union Ceasefire Commission (2006) on alleged violations of the agreements read like a book. The list of atrocities details: killings, torture, rapes, robberies and the destruction of entire villages by all the parties that were the signatories to the agreements (Ibid). It is rather obvious that the impact of the diplomatic efforts have not achieved the ends they were designed to accomplish. The establishment in Darfur of a '....democratic political culture to guarantee to the populations of the region their political, economic and social rights...' appears to be a far cry from what is happening on the ground (Joint Ceasefire Commission, 2004: 1).

Further investigation is required into what the IC can do to get the GoS and warring factions to adhere to the obligations they have made outlined in the Humanitarian Ceasefire Agreement and Darfur Action Plan. There also needs to be suggestions as to what diplomatic pressures the IC can apply to conclude the peace talks in Abuja. Every day that passes without an agreement results in the death and displacement of more civilians of Darfur and further strain on the IC's humanitarian resources.

*3.2.1.3 The efforts of the humanitarian operations by the international community in Darfur.* The tremendous undertaking by the IC in its humanitarian efforts in Darfur is one of the largest, quickest build-ups of its kind in relief history (International Committee for the Red Cross, 2004). In a period of almost two years, the IC has ramped-up its humanitarian mission to over 80 governmental and non-governmental agencies that have a combined staff of close to 15,000 (United Mission in Sudan, 2006). The UN has focused a third of its humanitarian budget in attempting to lessen the effects of internal conflicts on the civilian population of Sudan and Darfur (United Nations Daily News, 2005a).

According to the World Food Program in 2006, two and half million people are to receive food assistance from just this one organization alone (World Food Program, 2005). This number has been steadily increasing on a monthly basis since the IC's involvement (Ibid). Feeding this many people is quite an impressive feat considering the geographical, logistical, and security challenges of the isolated, hostile environment of Darfur. Regardless, it can be evidently seen that if it was not for the presence of the humanitarian operations in the region, the death toll would be significantly higher. Because of the destruction of their villages, forced displacement, and unforgiving geographical location, the lives of millions of civilians receiving aid are critically dependent on the IC's combined humanitarian efforts.

Based on the *UN's Work Plan for Sudan* (United Nations, 2005), the IC has adopted a protection by presence strategy. It is believed that the presence of international agencies and human rights observers will reduce the attacks on the civilians of Darfur.

Within this protection strategy, as noted by the Darfur Plan of Action, the IC has established safe areas where the refugee and IDPs camps are located to receive basic services, be registered, and re-establish family contacts (United Nations, 2004).

Humanitarian actors have adopted a Training of Trainers methodology, where displaced community leaders, local GoS officials, police, and armed forces are informed of their human right obligations and dialogue is facilitated between the civilians and the GoS authorities (Ibid; Action by Churches Together, 2005). These protection efforts are a more long-term attempt at getting all parties involved on the ground in Darfur to begin the long steps needed in improving relations so that the displaced may be able to return home safely and voluntarily.

*3.2.1.4 The efforts of security by the international community in Darfur.* In continuing with the IC's protection by presence strategy, the security efforts by the IC have come to be solely represented by the African Union's Mission in Sudan, known as the AMIS. Guided by the African Union Peace and Security Council (2004) the current security force of around 7,500 military, observer and police personnel has been mandated to verify whether the GoS and warring factions are fulfilling their obligations as previously outlined by the Humanitarian Ceasefire. The protection force that is within the AMIS presence was originally tasked just to protect the observers in Darfur (Ibid). The AMIS has been recording POC violations on behalf of the IC to document the violence that has been conducted against the civilian population (African Union Ceasefire Commission, 2006). They have also posted police personnel to work side by side with their GoS police counterparts to monitor the situation.

*3.2.1.5 Impact of the humanitarian and security efforts.* The humanitarian and security of the IC operations incorporating the protection by presence strategy can be noted as having an impact on the Crude Mortality Rate (CMR). This indicator which is formulated by the World Health Organization (2005) measures the number of deaths per day per 10,000 of affected population. CMR is the most specific and useful gauge to

monitor the most immediate priority of a conflict situation by the number of casualties it produces (Sphere Project, 2004).

As reported in the World Health Organization's *Mortality Survey for the Greater Darfur Region* (2005), during the conflict in spring 2004 before the establishment of the camps, the average CMR of Darfur was 2.2 for all ages (with a CMR of 0.3 considered normal in Darfur and 1.0 CMR constitutes a crisis situation). Since the build up of humanitarian operations in the summer of 2005 and the establishment of camps within safe areas, the CMR has been decreased dramatically to 0.9. For children under the age of five, before the arrival of the IC, the CMR was 5.0. In 2005 it was brought down to 2.0 (Ibid). To give these statistics perspective, with the total affected population of Darfur at 3.5 million, a CMR of 0.9 (which is 0.6 over the pre-conflict CMR of 0.3) creates an additional 6,300 deaths per month as a result of the conflict.

It is important to keep in mind that the statistics from 2005 taken in southern Darfur do not reflect civilians not living in the IC sponsored camps. This is half the total Darfur population. The participants in the mortality study were just those who resided within the camps or safe areas (Ibid). Still based on the statistics from 2005, humanitarian operations appear to have cut the deaths in Darfur down to a third of what they were before the start of hostilities in the region. Unfortunately, the CMR is still hovering right around the crisis threshold level of 1.0 for all ages. For children under five, it is double what is considered to constitute an emergency (Ibid).

There are critics to the protection by presence strategy like Victoria Wheeler with the United Kingdom's Humanitarian Policy Group (2005), who argues that the anecdotal evidence suggests its works is by no means an exact science. She believes that the protection by presence might actually increase the risk for civilians in other areas, by displacing it or it may encourage post-visit attacks if the presence is not maintained on a constant basis (Ibid). This could be the case since large portions of Darfur have been excluded in the World Health Organization's CMR survey.

Regardless, the efforts of the humanitarian agencies in Darfur are vitally necessary for securing the civilians' most immediate priorities in terms of their physical well-being.

It appears from examining the data concerning the CMR in the region before and after the eruption of conflict that the arrival of the humanitarians has improved the situation, yet the number of deaths occurring is still too high to be considered acceptable.

There is also the more long term question of how to establish rule of law within the region in order to facilitate an environment for return for millions who have been displaced. The efforts of humanitarians in these areas have been based on an implementation matrix developed by the International Committee of the Red Cross which focuses on the local level by building capacity (International Council on Voluntary Agencies, 2004).

The more long-term priority for civilian safety within Darfur is promoting an environment conducive for the displaced to return home. Thus far, the United Nations High Commission for Refugees (2005) has noted the 20,000 displaced persons have returned home on their own accord. Regrettably this number is offset by the tens of thousands who continue to flee their communities every month (Ibid). At present, the rate of return is nowhere near the rate of the displaced.

Doubt has been generated as to the protection presence strategy adopted by the IC in Darfur. These political negotiated safe havens for humanitarian efforts to take place appear to have had some success in protecting the civilians. The CMR has been reduced, but it still remains too high to consider the population of Darfur safe. Due to the strategy itself, large areas are going unmeasured and it is unclear what the effects of the conflict have been in those unmonitored locales. As speculated by others, the violence could have migrated to those areas outside the safe zones. No one knows for sure since it is too dangerous for the IC to work in the entire region of Darfur.

With the short term needs of the IC's humanitarian efforts having mixed results, the more long term priorities of returning home by the displaced appear to be worsening. With no home or village to return to, the refugees and IDPs are now wards of the IC. Their survival is dependent on IC's humanitarian projects in providing basic services. With millions displaced, this creates a huge burden on the IC. No long term safety for the displaced can occur without their becoming self-sufficient again. Based on the problems

the IC is encountering, there is a critical need to explore other avenues to understand what more can be done to better assist the IC in both its short and long term humanitarian protection ventures.

### *3.3 Summary*

Chapter three has described the POC violations which have occurred in Darfur and the IC's diplomatic, humanitarian, and security activities to curb the violence. It appears when addressing the short term protection priorities of the civilian population, CMR, the indicator used to measure casualties, has decreased. Yet the latest report on CMR still has the number of fatalities occurring at the emergency threshold, which is producing several thousand additional deaths per month.

The more long term goals of protecting civilians by facilitating the conditions to return are practically non-existent. The number of returns is just a handful and is offset by those who are continuing to flee their homes. In that regard, it does not appear the IC has been able to foster the conditions to get the civilians to leave the camps where basic services are provided for by the humanitarians.

The situation in Darfur remains tense. The civilian population is still at great risk. When the state is not doing its fundamental job of protecting its citizens, the IC's limited experience in tackling such a big problem in an isolated, landlocked region is a challenging undertaking. More investigation is needed into the specific problems the IC is facing and what can be done to address these problems and lessen the harmful effects on Darfur's non-combatants. The next chapter presents the research design and methodology used to guide the research in an attempt to answer the research questions and examine the hypotheses.

## 4.0 Research Design and Methodology

The general issue which has appeared to have arisen since the IC's involvement in Darfur is a gap between the rhetoric of the IC with its 'Responsibility to Protect' (United Nations General Assembly, 2005) and the IC's ability to actually provide for the safety of the people of Darfur. In spite of the IC's efforts, violations by the warring parties against civilians continue to transpire. The IC is being criticized even though the statistics reveal that the immediate needs of the population are somewhat being met. Based on the evidence provided in chapter three, if it were not for the IC's presence, the destructive toll on the local population would probably be much worse. The CMR has decreased, but the protection presence strategy does not permit for all of Darfur to be taken into account. There are still an unacceptable number of deaths occurring as a result of the conflict. The complex conflict landscape of Darfur makes it difficult to grasp the IC's achievements concerning POC's most pressing concerns.

With regard to the long term focus of the IC's efforts in fostering an environment of return, there is little evidence to suggest its effectiveness. After a presence of almost two years, the IC has not been able to get the population to begin the journey back to their home communities, and the numbers of the displaced are only increasing. A cloud of doubt hangs over the mix results of the IC political, humanitarian and security efforts in Darfur.

### *4.1 Outline of research question and hypothesis*

This study was conducted to tap the knowledge of selected professionals with hands-on experience in Darfur. They were interviewed concerning their views on the problems that the IC is encountering in its protection activities along with possible solutions to these issues. The interviewees' insights were divided into two parts based on the wide range of protection needs of the population in the POC definition (refer to text 2.2). These two parts are the most immediate protection priorities and the more long

term protection priorities of the civilian population. Therefore the four research questions chosen in this study to shed light on the situation concerning POC in Darfur are:

*A) What problems do a selected group of professionals think the international community has encountered in addressing the most immediate protection priorities of the civilians of Darfur?*

*B) According to the professionals, what can be done to address these problems in order to more effectively impact the immediate protection priorities of the civilians of Darfur?*

*C) What problems do a selected group of professionals think the international community has encountered in addressing the more long term protection priorities of the civilians of Darfur?*

*D) According to the professionals, what can be done to address these problems in order to more effectively impact the long term protection priorities of the civilians of Darfur?*

The first two questions, A and B deal with the more immediate protection priorities of the civilian population. With the recent securitization of human rights and the constantly changing nature of the conflict, the most immediate protection needs of civilians are explored without the guidance of theory or hypothesis. The variables for research questions A and B are consequently based on findings in the data.

Research questions C and D pertain to the more long term protection priorities of the Darfur population. The hypothesis for question C is: The lack of commitment by the warring parties to their negotiated agreements is viewed as one of the main sources of the lack of civilian protection.

The hypothesis for research question D is: The most effective means to address the lack of commitment by the warring parties is negotiating a political settlement which includes political power sharing, wealth sharing and third party security guarantees. These provisions as outlined in Walter's credible commitment theory are being discussed in Abuja stand the best chance of getting a lasting peace in the region which might improve the long term protection prospects for the local Darfur population.



## 4.2 Methodology

### 4.2.1 Choice of methodological approach

The methodology for this study is grounded in the qualitative tradition. The qualitative approach was chosen over the quantitative one due to three factors concerning the protection of civilian field in Darfur. The first is that the recent securitization of POC by the IC means that the field itself has had little time to be explored. Repstad (1993) has confirmed that the utilization of qualitative methods is widely used to cast light on subjects that have not been widely researched. As noted by Rubin and Rubin (1995) along with the on-going nature of the unfolding POC situation in Darfur, a qualitative approach is most helpful in keeping tabs on a situation that is transpiring on a daily basis. The third factor is that a qualitative approach is more suitable than quantitative research to describe issues in detail (Ibid). The topic of POC in Darfur is one that is best expressed with narratives and rich examples to which qualitative interviewing lends itself well. These three conditions highlight the qualitative method as the best choice in guiding the data collection for the research.

### 4.2.2 Choice of methodological technique

In order to capture the knowledge of the research subjects, the study employed semi-structured interviews as the methodological technique. According to Kvale (1997), semi-structured interviews are best used when the goal of the research is to draw upon the personal experiences of the interviewees in order to describe a concept within a specific context. Semi-structured interviewing permits a certain level of freedom in the sequencing of questions by the way in which questions are posed and how much time and attention one chooses to spend on the different themes that emerge during the interview. In addition, semi-structured interviews allow for the opportunity to add questions that due to the exploratory nature of the subject were not able to be foreseen (Dallard, 2000). This is opposed to questionnaires and surveys where everything is set from the beginning and do not permit any investigation into previously unknown areas of interest. If the study had developed a questionnaire with a set of rigid questions, this probably would not

have covered the entire POC field, and pertinent information may not have been discovered.

The flexible nature of the semi-structure interview also allowed for interviewing several different lines of work that are involved with POC. Whether it was talking to military security personnel, diplomats, or humanitarian aid workers, the interview was able to be held within a set design which did not interrupt the flow of the conversation due to terminology or issues that did not apply within that particular interviewee's area of expertise.

The semi-structure qualitative interview was the best methodological approach in such a broad, unexplored field that is evolving on a daily basis. Its ability to adapt to any number of interviewee circumstances resulted in a format which was able to extract useful and colorful information on the POC situation in Darfur.

#### *4.2.3 Selection*

The interviewees were chosen based on a criterion outlined by Rubin and Rubin (1995) which states three requirements for selection with qualitative interviewing: (1) the interviewees have knowledge about what is being studied; (2) they have a willingness to talk; and (3) they should represent a wide range of points of view.

Based on Slims (2002) operationalization of POC, practitioners from the fields of diplomacy, humanitarian operations, and military operations were chosen to provide the data on the IC's protection efforts for civilians in the context of Darfur. The interviewees needed to have had first hand knowledge of the IC's protection efforts in Darfur.

A form email was sent to individuals within specific organizations who were known to have an involvement in Darfur based on their publicized activities. The form email stated who was conducting the research, the affiliation of the researcher, the research questions and the name of the advisor for the research and organization overseeing the study. Due to the sensitive nature of organizations and individuals working with the GoS, if requested, a condition of confidentiality was provided so as to not interrupt their protection work being carried out in Darfur. It was also hoped that

confidentiality would permit the interviewees to speak more openly on their POC experiences.

In some cases, the email was forwarded to other individuals through whom the initial contact thought would be more appropriate to be a part of the research. Most interviewees requested that they would like to see the interview questions before committing to be interviewed.

Ten people were interviewed from the diplomatic, humanitarian, military security fields from more than 60 who had been contacted. Due to the cross-disciplinary nature of some interviewees' professions, such as the heads of the UN's and AU's missions in Sudan, these individuals would be considered experts in more than one field. This wide selection of interviewees was necessary in trying to address the IC's multi-faceted involvement of so many actors operating at various levels in Darfur in the attempt to protect its citizens.

A brief description of each interviewee is provided below to give background on his or her experiences concerning POC in Darfur. This highlights their credibility so that the information they provide in the results chapter is established coming from a source familiar with the protection issues facing the IC in Darfur.

Interviewee Number 1: Jan Pronk is at the head of the global level for the IC concerning the protection efforts for the entire state of Sudan. Pronk is the Special Representative of the Secretary General of the UN in Sudan and runs the United Nations Mission in Sudan (UNMIS). This organization oversees all the UN based humanitarian operations in the country. Pronk is a former Dutch politician and professor who has been a key figure in the diplomacy and security arenas in Sudan since he took his current post in 2004. He is responsible for a mandate of 10,000 troops and police in the south of the country. Pronk has negotiated the Darfur Action Plan which set the stage for the arrival of African Union in Darfur and other political initiatives in Sudan. His work for the UN gives him a broad overview of the strategy employed for the POC crisis in Darfur. Pronk would qualify as an authority in all three POC operationalizations.

Interviewee Number 2: At the regional level is Ambassador Baba Gana Kingabe who is the Special Representative of the AU in Sudan. Kingabe is a career Nigerian diplomat who is the head of the IC's security efforts concerning Darfur in Sudan. At the strategic level, Ambassador Kingabe oversees a mandate for 7,000 military and police who

comprise the African Union Mission in Sudan (AMIS), which is the only security presence of the IC in Darfur. Kingabe has been special envoy for the AU with its diplomatic efforts at the north-south negotiations from Machakos to Naivasha, the Humanitarian Ceasefire Agreement for Darfur in 2004, and the current peace talks in Abuja.

Interviewee Number 3: Endre Stiansen is a Norwegian academic who is coordinating a team of resource people assisting the AU secretariat in negotiating the wealth sharing component in the peace talks in Abuja. Stiansen is an advisor with hands-on experience with the inter-workings of the IC's current efforts to solve the Darfur conflict with a peace agreement that attempts to address some of the root causes of the conflict.

Interviewee Number 4: Andrew Marshall is an American who is the director of the Centre for Humanitarian Dialogue based in Geneva, Switzerland. This organization was the first non-governmental organization to discuss with the GoS the opening of humanitarian access for the people of Darfur. This NGO began the political process of negotiating the Humanitarian Ceasefire Agreement in 2004 between the rebel movements and the GoS. The legwork of this organization paved the way for the eventual involvement of the IC in Darfur. Their work was the first in bringing the opposition parties, the JEM and the SLM to the negotiation table with the IC over humanitarian issues, as well as informing these groups of their humanitarian obligations as dictated by law. The diplomatic efforts of the Centre for Humanitarian Dialogue is a postmodern example of a non-state organization facilitating negotiations that have been typically reserved for states or state sponsored organizations like the UN or AU.

Interviewee Number 5: Halle Jørn Hansen is a Norwegian humanitarian, journalist, and political advisor to the Comprehensive Peace Agreement between north and south. He has lived on and off in Africa for 40 years. Hansen has been secretary general for Norwegian People's Aid and has intimate knowledge of the IC's political and humanitarian efforts regarding Sudan as a whole.

Interviewee Number 6: Eric Reeves is an American humanitarian who initially worked for Doctors without Borders in Darfur. He is a research analyst who has been called on by the United States Congress to testify as an expert on the security aspects of the POC crisis in Darfur. Reeves was one of the first individuals to bring the IC's attention to the violence occurring in Darfur. He was the first to publicly call what was happening in Darfur genocide.

Interviewee Number 7: Asking to be anonymous and will be referred to as Security #1, is a South African male who has been a major within the AMIS security force in Darfur for a period of seven months. Security #1 is a trained military observer whose responsibility is coordinating confidence building patrols, road security patrols, search and rescue missions, and Armored Personnel Carrier training courses. With the changing role of the

AMIS, Security #1 took on more duties centered on protection. His experiences at the tactical level gave him a first hand perspective of the day to day security activities of the AU.

Interviewee Number 8: Asking to be anonymous, Humanitarian #1 is a Norwegian male who has been managing an IDP camp in Darfur for the past year. Humanitarian #1 has previously worked in the south of Sudan as a field coordinator. Humanitarian #1 is a practitioner of the protection by presence strategy.

Interviewee Number 9: Asking to be anonymous, Humanitarian #2 is an American female who has worked as a protection officer in several postings around the world. Her most recent posting was working within two IDP camps in Darfur over a nine month period. Humanitarian #2 primary responsibilities were concerning women and gender based violence. She also worked in conjunction with the AMIS, which was tasked with providing protection in the camps.

Interviewee Number 10: Asking to be anonymous, Humanitarian #3 is a Norwegian female who is program coordinator for a large NGO working in Darfur. Humanitarian #3 has worked in Africa and Asia since the mid-1980s in various emergency operations. Her work in Darfur has focused on assisting small IDP camps in Darfur and building capacity by training officials within the GoS's humanitarian aid agency, Humanitarian Aid Commission on the principles of human rights to which the GoS has made itself a party.

Based on this list of interviewees, the IC is represented at the global level by Pronk, the regional level by Kingabe and Stiansen and the agency levels by the rest of the interviewees regarding their protection efforts. These protection activities are also depicted at the strategic and tactical levels as well when it comes to their operationalization. This broad sampling of informants is aimed at getting an overall input from the diplomatic, humanitarian, and security communities tasked to protect the lives and welfare of the Darfur population.

#### *4.2.4 Interview guide*

The basis for the interviews was centered on an interview guide (see Appendix A). The interview guide was designed to ask open-ended questions in an attempt to solicit broad responses instead of just a simple yes or no. The interviewing was semi-structured. This technique was chosen for its flexible and continuous design.

Before the start of the interview, as a part of the interview guide, a list of definitions were provided to make sure that there would be no confusion concerning the general terms employed through the interview. The international community was defined, as well as the protection of civilians. The definition used for POC expressed the division of the range of protection priorities of the civilian population utilized in the research questions.

The interviewees were informed that they could ask for further clarification on any terms or topics of which they were unsure. The interviewees were also told that they could stop the interview at anytime. If requested, the confidentiality of the person and the organization would be provided, and all data collected for the study would be erased after its completion. It also affirmed that a copy of transcript for review by the interviewee could be provided, if requested, as well as copy of the paper. These measures were taken in an attempt to get the interviewee to speak as freely as possible regarding their views on the IC's protection efforts.

The researcher began the interview by getting the interviewee's general background in regard to the protection of civilians to establish their credibility in the field or fields in which they had experience. Then the interview proceeded ask the interviewee to describe their POC work in Darfur. The interview sought to get feedback on their views regarding the problems that the IC was experiencing with its protection efforts in Darfur. These problems were divided into two categories based on the POC definition. The first category was the civilians' most immediate needs, such as physical safety. The second was on the more long-term priorities such as the conditions needed to return home. This division was employed to cover the wide gamut of protection requirements within the POC concept. During this line of questioning, the interviewee would provide feedback and opinion on the impact the IC had, the root causes of the conflict and the challenges encountered by the IC or their particular field.

Based on their responses, the interview sought to solicit what could be done to address the problems that the IC was experiencing to better its protection activities regarding the field or fields in which the interviewee worked. This again was divided

between the more pressing needs of the civilian population and the more long range ones. In regard to the more long term priorities, all interviewees were asked to comment on the hypothesis for research question D based on Walter's CCT. This was posed as a question as to how they foresaw the application of the power sharing, wealth sharing and third party security arrangements discussed in Abuja as being the crucial device to protecting civilians by resolving the conflict in Darfur.

Since the talks in Abuja are the only known diplomatic efforts being pursued to end the conflict, this conflict resolution mechanism appears to be vital to the long-term protection concerns of Darfur's civilians. In addition to this theoretically based hypothesis, the interviewees were asked to comment on what direction they felt their field or fields were headed with respect to civilian protection. Finally, all interviewees at the end of the interview were given the opportunity to add anything to what was discussed during the interview. Probing questions were asked if the interview brought up certain topics which were deemed important to investigate in more detail. These questions usually dealt with an interviewee's specific role or duties within their organization. Clarification was also sometimes needed to understand contexts or situations that had not been mentioned in the literature. The flexible nature of the interview guide, while providing some essential structure to the interview, also unearthed common themes upon which the literature had failed to touch.

#### *4.2.5 Data Collection*

The interviews lasted about 30 minutes to an hour in length, with the average interview taking about 40 minutes. Six interviews were conducted either in person in Oslo, Norway or Khartoum, Sudan. With some of the interviewees living in other parts of the world, four interviews had to be done by telephone. The interviews were administrated over a two month period, between mid-January to mid-March 2006. All conversations were taped recorded onto a portable mini-disc recorder with a microphone. The interviews were then transcribed from audio recordings to maintain accuracy and transparency, as well as for the purposes of coding. Two interviewees asked for

transcripts of the interview and only one made changes to the transcript itself. Four of the interviewees requested to remain anonymous.

#### *4.2.6 Data analysis*

The collected data was analyzed based on a phenomenological method for meaningful gathering (Giorgi and Giorgi, 2003). This method is based on concentrating the expressed meanings in a way to find their basic significance. This empirical analysis has four steps: (1) overview impression; (2) discrimination of meaningful units or variables; (3) transformation; and (4) synthesis of the transformed meaningful units into a concentrate of the meaningful content.

The overview of the data was obtained by transcribing all the interviews word for word and reading through them several times before an analysis was carried out. Afterwards, all the utterings were numbered, separated and arranged into meaningful units that were judged for their value pertaining to the research questions. In the analysis transformation step, all the quotes were transformed into descriptive units and grouped into variables. These groupings were based on a codebook (see Appendix B) that was developed. The information from all the interviews were compared with all the variables collected and a synthesis of the concentrated meaningful content was prepared for the data to be presented in the results chapter. The meaningful units or variables found in the data were used to answer the research questions.

#### *4.2.7 Methodological considerations*

The strength in qualitative methodology lays in the possibility to explore an individual's experience of a phenomenon and then draw conclusions from this. There are, however, still methodological shortcomings in the use of qualitative methods. Validity, generalization, reliability and objectivity are often discussed in quantitative research as the antennas for the data's scientific value (Robson, 1993). In qualitative research these terms should be replaced by credibility, transferability, dependability, conformability (Ibid).



*4.2.7.1 Credibility.* Credibility refers to whether the studied phenomenon was described and presented in an accurate way (Ibid). According to Lincoln and Guba (1985), credibility can be increased by triangulation. This means that the phenomenon is studied from different angles to paint the most representative picture. As previously stated, people with hands-on experience concerning civilian protection in Sudan were interviewed. It was important to interview from different fields (security, humanitarian, and diplomatic) to shed light on the various components of the POC activities by the international community. This permitted many different points of view represented in the data. The application of semi-structured interviews as a means by which to accurately gather the data allowed for the investigation of new variables as they emerged.

*4.2.7.2 Transferability.* Transferability refers to the data's ability to be generalized in respect to other contexts. Generalization is usually not the goal with qualitative research (Robson, 1993). Yet it is still possible to generalize in a qualitative study by describing in detail what has been done by specifying the theoretical framework the study is based on. Lincoln and Guba (1985) believe that qualitative research can only offer working hypotheses with a description of the time, date, and context from which the information was gathered for. The authors explain,

‘It is not the researcher's responsibility to make an index for which the context of the data can be transferred to. It is the researcher's duty to present the background for the data in a way that decisions about possible transference can be made by others who want to use their findings’ (Lincoln and Guba, 1985: 316).

In this study it is presented when, where and how the interviews were conducted. The majority of the interviewees permitted the usage of their names and organization's affiliation. Both the interview guide and the codebook, which is the analysis for the study, are available in the appendix so that others can judge the transferability of the data to other situations.

*4.2.7.3 Dependability.* Dependability refers to whether the data is repeatable and is necessary for the study to be valid. Therefore there is no credibility without dependability and the suggested methods to judge these two criteria are similar. Lincoln and Guba understood that if one has demonstrated credibility, one does not need to prove the study's dependability (Ibid). In qualitative research this can be done with a judgment of whether the practical gathering of the data is described in such detail that the procedures can be followed by someone else. With interviews it is important to be aware of how the interaction between the interviewer and the interviewee has the potential of influencing the outcome of the interview (Kvale, 1997). The dependability has been insured with the development of the interview guide. The interview guide was written with the purpose of covering all the main topics to make sure enough information about the research questions was gathered.

*4.2.7.4 Conformability.* Conformability deals with the objectivity of the researcher. It is significant that the researcher has not read the material selectively and can give the grounds for the categories that were selected (Fog, 1994). This is to make sure the presented findings come from the original data. The quotes are in the text to demonstrate the connection between the transcriptions and their interpretations by the researcher.

By discussing the credibility, transferability, dependability, conformability of the study it can be reasonably assumed that the data has been collected in a scientific manner. The criteria presented give transparency to the approach in which the results were obtained.

#### *4.2.8 Ethical considerations*

The on-going POC situation in Darfur is a sensitive topic for individuals and organizations working within the region. In order to operate in a conflict area where there are open hostilities between two sides, organizations have to be perceived as being

neutral (CDA Collaborative Learning Projects, 2004). This can be reflected by the fact that some of the interviewees requested to remain anonymous for fear of having themselves or their organizations barred from Sudan by its government. The only association that they will receive will be the field that they have worked in concerning Sudan and a number.

The ability for some of the interviewees to remain confidential enabled the study to gather data from such a diverse pool of applicants. If the identity of the persons and organizations were revealed, it would have been much more difficult to get their consent to be interviewed in the first place, as well as to provide candid answers in the interview.

### *4.3 Summary*

Chapter four has provided the structure of the research design demonstrating the need in asking the research questions as well as the hypotheses guiding part of the data collection. The methodology has been described in detail, showing how the data was gathered and providing explanation for why the qualitative approach was chosen. The following section will describe and discuss the results which were gathered in answering the research questions.

## 5.0 Results

In the interviews there was unanimous acknowledgement that there are problems with the POC efforts in Darfur. A common theme which was repeated in all the interviews was that the IC's efforts have had many inadequacies. However, another universal pattern emerged within the interviewees as accentuated by Hansen referring to POC in Darfur, 'For all the shortcomings between the UN and AU they make a big difference between a terrible situation and an absolute catastrophe' (Hansen, 2006 [Interview]).

This statement is re-enforced by the statistics provided in chapter three on the decrease in fatalities which has occurred among the population since the IC's expanded involvement from the summer of 2004. All those interviewed do recognize the positive impact the IC has had on the lives of the non-combatants in Darfur. This fact must be stressed due to the enormous amount of lives, time, and resources that have been devoted by the IC in alleviating the suffering of the Darfur people. Without such an effort, many more would probably have been killed and displaced. However, there is room for improvement with the IC's activities, given the overwhelming number of casualties and displaced persons.

*5.1 Research Question A) What problems do a selected group of professionals think the international community has encountered in addressing the most immediate protection priorities of the civilians of Darfur?*

Based on the data there are three areas that the IC has experienced problems in its ability in addressing the most immediate protection needs of the civilian population. This list includes: (1) the IC's approach to its handling of third party security; (2) the protection by presence strategy that has been adopted by the humanitarian community; and (3) the GoS's obstacles created for the IC. These three subsections capture the problems that the IC has been facing according to the interviewees and are presented in detail.

### *5.1.1 International community's approach in providing third party security*

The approach the IC has taken regarding its protection strategy in Darfur, led by the AU, has been faulted by all the interviewees as being initially too weak in addressing the civilian protection needs. There is a difference in opinion as to why this is the case. However, all would agree the end result has been misleading for the IC's third party security efforts. As a consequence, six factors have been cited by most of the interviewees as being problematic with the IC's security operation in Darfur: strategy, manpower, mandate, logistics, expertise, and the relationship between the AU and the UN. All these factors are tightly interrelated in the IC's security efforts to protect.

*5.1.1.1 Strategy.* The security strategy by which the IC based its entry into Darfur has been mentioned as being a problem with respect to the IC's handling of POC. Among the interviewees there is a range of opinions on this matter. One reason which is held by the AU is that the context under which the AU entered into Darfur was expected to be completely different than the reality it became. Kingabe notes the initial strategy under which the AMIS was created was a '...non-interventionist, Humanitarian Ceasefire Agreement monitoring mode' (Kingabe, 2006 [Interview]). From Kingabe's point of view this was the result of the AMIS as well as the IC as being '...too faithfully in implementing the Humanitarian Ceasefire Agreement' (Ibid). The AU was not originally tasked with protection, but solely with monitoring the negotiated agreement to which it assumed the warring parties would adhere. The IC's hands were tied concerning its first security efforts as spearheaded by the AU when the negotiating parties in Darfur clearly violated their negotiated settlement. As remarked by Kingabe, 'We realized that we were too few, too thinly spread and poorly equipped...' to take on the additional mandate to protect when it became obvious that human rights violations were occurring despite the Humanitarian Ceasefire Agreement in place (Ibid). This means that circumstances in which the AU entered Darfur had changed, and, as a result, the strategy which was first employed made it difficult to cope with the immediate protection needs of the population.

Reeves and Marshall, on the other hand, lay blame on the way in which the POC strategy had been developed by the IC. Reeves understands it as:

‘The issue of the protection of civilians being conceived in an ass backwards way. Instead of asking, what are the security requirements on the ground giving the prevailing conditions; we have taken the form to date of what is the capacity of the AU for protection of civilians?’ (Reeves, 2006 [Telephone interview]).

In his opinion, Marshall views it as, ‘A face saving way that no one comes out looking silly, like the AU’ (Marshall, 2006 [Telephone interview]). The AU was not prepared to take on POC in Darfur and ‘...was not successful in Darfur, and the international community should take a great deal of blame for that’ (Ibid). Both these statements neglect to take into account that the underlying reason behind the IC’s initial involvement in Darfur was based on a negotiated agreement. As pointed out by the leader of the AMIS, the AU was there to initially monitor, not to protect (Kingabe, 2006 [Interview]). This created the context out of which much criticism would be directed at AMIS on its handling of POC in Darfur. The next four variables to follow were originally rooted in the belief that the mission’s strategy would be a peacekeeping operation based on a negotiated ceasefire agreement.

*5.1.1.2 Manpower.* Even though the AMIS as of spring 2006 has ramped up to a force of 6,500 of an authorized 7,171 from its initial involvement of 360 personnel, this size is perceived as not being large enough. All the interviewees cite the AU force as still being too few to effectively protect civilians. Pronk notes, ‘...they [AMIS] are too small’ (Pronk, 2006 [Interview]). He continues by highlighting protection, ‘...only works if you are present, if you are present strongly’ (Ibid). This variable has been faulted by every interviewee as impeding the AU’s efforts to provide security in Darfur. This means that the troop capacity by the IC’s security activities can be associated with their ability to impact the civilian’s physical protection.

*5.1.1.3 Mandate.* The mandate under which the security component of the AU operates has been cited as a variable hindering the IC's protection efforts. This Chapter VI mandate provides for the pacific settlement of disputes which the parties involved have consented to support (United Nations, 1945). Stiansen notes that, 'You have the AU force, limited mandate, and bad mandate for political reasons [...] It's very difficult for the AMIS to go out to provide for the protection of civilians' (Stiansen, 2006 [Interview]). Security #1 says that the Chapter VI mandate for the AMIS peace support operation needs to be addressed (Security #1, 2006 [Telephone interview]). In line with the troop capacity of the AU force, the mandate under which it operates receives the same condemnation as a problem for the IC. However, also noted by Security #1, the current mandate for the AMIS does permit for '...the Rules of Engagement to protect civilians if their lives have been threatened' (Ibid). But this is only if their lives are in immediate danger. There is an uncertainty as to how this has been interpreted on the ground by the AMIS when it comes across POC violations. Thus far, there has been a limit in practice by the AMIS to actively engage the warring parties that they encounter violating POC based on its mandate.

Kingabe underscores that the protection by the AU has to be within its means and within its vicinity given the additional mandate of protection for the civilians of Darfur. He says:

'Obviously if violations of human rights were going on within our vicinity, of course we wouldn't fold our arms, but obviously we wouldn't intervene in a situation where 200 well-equipped *Janjaweed* were attacking an IDP camp. We wouldn't intervene with ten people to protect. So it is within vicinity and within means that was the mandate we had added in October, 2004. So within those limitations we have done our best' (Kingabe, 2006 [Interview]).

This illustrates that the limited mandate to protect by the AMIS has also limited the means by which to provide that protection even if it is called for. As with capacity, the mandate created under the initial strategy to protect has been inadequate in addressing the needs of the population.

*5.1.1.4 Logistics.* According to the majority of the interviewees, the AMIS is facing problems associated with a lack of logistical support. As pointed out by Reeves, the AMIS has not the ability to deal with protection in Darfur. He says in referring to the AMIS as having, ‘No capacity for intelligent administration, communications, or transportation’ (Reeves, 2006 [Telephone interview]). Kingabe shares this view that there is a need for a much better equipped force to provide protection in Darfur (Kingabe, 2006 [Interview]). Stiansen articulates, ‘And of course, the AU doesn’t have much [...] The AU force, the hardware isn’t that good’ (Stiansen, 2006 [Interview]). This lightly armed military presence in Darfur, whose main duty was to monitor not protect, has greatly impeded the AU’s efforts.

Even concerning basic necessities like transportation in terms of vehicles and helicopters, for example, the AMIS has been desperately coming up short. Humanitarian #2 provides an observation of when the lack of logistical support was a serious problem:

‘We had 30 AMIS police assigned to the camp and they had one car. It didn’t help if we had 400 in the camp. If they only had one car, they would only be in one place. And in a camp that is 17 km wide with 167,000 people that is not very helpful’ (Humanitarian #2, 2006 [Telephone interview]).

This story provides a glimpse into some of the many logistical issues encountered by the security efforts of the AU. It also exemplifies the strong link between logistics and carrying out proactive protection duties such as a patrolling or just showing a presence in the community to prevent attacks from occurring. These activities have been demonstrated to have been carried out without the proper mandate or manpower, yet lacking the adequate transportation, for example, such undertakings become even more limited.

*5.1.1.5 Expertise.* The humanitarians mention an issue when working with the AMIS security personnel is a deficiency in expertise. Humanitarian #1, who was head of a large IDP camp, describes the relationship with the AMIS working within the camp as:

‘...challenging and difficult, from the perspective of the humanitarian organization to find ways to get the AMIS to address issues in the proper way. It is difficult for



them when to intervene and if they do intervene it is difficult for them to do it in a sensitivity way, but that is a matter of training' (Humanitarian #1, 2006 [Interview]).

Humanitarian #2 provides a little more color, 'They had no sensitivity training at all. We were thrilled at the prospect of getting [AMIS] female protection officers until they showed up in short sleeves and miniskirts' (Humanitarian #2, 2006 [Interview]). In the modestly dressed Islamic region of Darfur this is quite a shock to the local culture and is a situation in which trained personnel might not place themselves in.

Humanitarian #2 also describes the AMIS component she was working with as not having a clue as to the origins of the conflict. There was an assumption by the AMIS that the conflict was all about religion in Darfur (Ibid). Humanitarian #2 witnessed unprofessional behavior by AMIS personnel. She said this was characterized as:

'...very anti-Muslim, even anti-African in a very funny race sort of way. If they were blacker, than the [AMIS] officer, they wouldn't shake hands; they wouldn't touch them at all. They didn't believe the women if they said they had been raped. The AMIS became a problem for me as a protection officer [...] they lack police training, they weren't very professional police' (Ibid).

The training issue has placed strains on the relationship between the humanitarians and the AMIS in their protection duties. Differences in culture and awareness of the context of the conflict in Darfur have made lack of expertise an issue in the protection work carried out.

*5.1.1.6 Relationship between AU and UN.* In regards to POC, there does appear to be a communication problem between the two levels represented by the UN and AU. This clash is seen in the security arena where despite an existing partnership, the UN points to the problems the AU's efforts have had protecting civilians. Pronk lays some of the blame concerning POC in Darfur on the AU, 'Because the AU so far has not given a major priority to security' (Pronk, 2006 [Interview]).

Hansen sees the problem as a breakdown in the talking process between the AU and UN (Hansen, 2006 [Interview]). Stiansen notes that the antagonistic relationship

between the UN and the AU has created a cleavage between the two organizations (Stiansen, 2006 [Interview]). Deflecting the blame, Kingabe does not believe that the AU is acting alone in Darfur and as a result it can not be faulted entirely for its shortcoming.

Kingabe says:

‘The international community, bless them, they were very helpful, the entire operation was conceived as a partnership between the African Union, which gave it the direction, the command and control and the manpower, but the resources, financial, material and otherwise were provided by the international community, so it was a joint venture for which we can not claim sole responsibility, success or failure’ (Kingabe, 2006 [Interview]).

Kingabe notes the mutual partnership which the AU has in conducting security activities in Darfur (Kingabe, 2006 [Interview]). The AU has provided the manpower, but not the resource support. Both are variables which have been generated in the data as to problems with the approach taken to security. This suggests that a solution might lie with a continued joint approach to POC in addressing these issues.

In summation, according to the interviewees, the third party security issues the IC is facing in minimizing civilian casualties include: (1) strategy; (2) manpower; (3) mandate; (4) logistics; (5) expertise; and (6) UN and AU relationship. These are areas which the interviewees have identified as problematic.

### *5.1.2 Humanitarian protection by presence strategy*

A protection by presence strategy has been adopted by the humanitarians in their work in the camps in conjunction with the AMIS to provide for the physical safety of the displaced. According to the interviewees, this strategy is deficient. Most of the humanitarians note that the camps are viewed by the displaced as the safest place they can be, but there are many lapses with the overall security in the camps. Humanitarian #1 remarks that:

‘... [the] goal in starting the [camp] project there is to have a presence, to have a protection by presence strategy. However, I don’t think it works very well. When

a situation gets critical, the humanitarian workers have to leave the area as well and that is when the population is most vulnerable, when the protection is most needed' (Humanitarian #1, 2006 [Interview]).

Humanitarian #2 mentions that the humanitarians have had to leave the camps at night due to security concerns by the GoS officials, and the nighttime hours are when the majority of acts of violence occur. She says,

'Civilians had to leave the camp before dark for security reasons. We were not allowed to stay in the camps after dark and so a lot of what went on in the camp went on after dark [...] Within a half hour of the internationals leaving, the camp they [GoS officials] would routinely start shooting in the air. It was just an intimidation tactic; they did it because they could' (Humanitarian #2, 2006 [Telephone interview]).

Humanitarian #2 would get reports on these occurrences from the Sudanese national staff who were refugees in the camps and had cell phones to make calls to their western counterparts on the outside (Ibid). It is when the IC isn't present that people would disappear, crimes were committed and acts of gender based violence were carried out.

The civilian police of the AMIS are supposed to reside in the camps, but this is not the case in one of the larger camps. Humanitarian #2 observes the AU police are not present at night, just the GoS police, who are supposed to be monitored by the AMIS (Ibid). The AMIS is not vigilant in looking after the GoS police, who are viewed by the local population as committing some of the atrocities (Ibid). Even under the umbrella of the IC's relief efforts, there has been a breakdown in the protection strategy within the IDP camps.

### *5.1.3 Government of Sudan's obstacles encountered by the international community*

The IC's security presence and humanitarian activities to protect civilians' most primary physical needs have been impeded by the GoS. The interviewees gave examples of showing how the warring parties are perceived as hindering the IC's security and humanitarian efforts. The difficulties which the IC has encountered run a wide range of

issues as brought forth by the data. The problems mentioned by the interviewees are a lack of control by the GoS and the blocking of IC's tactical protection efforts by the warring factions. These variables make the task of POC harder for the IC and are cited as having a negative impact on the most immediate protection needs of the Darfur population.

*5.1.3.1 Lack of control.* The GoS's continued support of the Arab militia groups like the *Janjaweed* that the GoS uses to wage its proxy war in Darfur is viewed as a variable which hampers the IC's ability to protect. The GoS has made promises to the IC for the past year and a half to disarm the militias. However, as underscored by Pronk, Reeves and Security #1, this hasn't been the case (Pronk, 2006 [Interview]; Reeves, 2006 [Telephone Interview]; Security #1, 2006 [Telephone interview]).

The Arab militias still operate in Darfur under virtual impunity from the law. Stiansen views the GoS as having lost control of the *Janjaweed* and expresses that if the GoS tried to disarm them, they would turn on the GoS (Stiansen, 2006 [Interview]). Still this is a brazen breach of the negotiated agreement that goes hand in hand with the other obstructions the GoS imposes on the IC's POC efforts. The lack of control by the GoS for parties which are believed to be operating under their orders has created a very fragmented, chaotic environment in Darfur. Some of the interviewees feel the situation must be reined in by the GoS in order for the IC to carry out its protection duties (Pronk, 2006 [Interview]; Reeves, 2006 [Telephone Interview]; Security #1, 2006 [Telephone interview]).

*5.1.3.2 Blocking of the international community's tactical efforts.* At the tactical level, the GoS is seen by the interviewees as blocking many of the IC's humanitarian supplies and AU's security equipment. There is also a pattern of harassing the humanitarian personnel in Darfur. Reeves has recorded the GoS denying entry to medical supplies, helicopters, fuel, and the main offensive weapon of the AMIS, the 12.7 mm machine gun for their armored personnel carriers (Reeves, 2006 [Telephone

interview]). These desperately needed logistical supplies have been linked to the IC's efforts in conducting its protection duties.

The humanitarians told a similar tale of their associates having a difficult time getting into Sudan. Humanitarian #3 has had many of her personnel destined for Darfur to be turned around at the airport in Khartoum due to regulations on travel permits which change indiscriminately (Humanitarian #3, 2006 [Interview]). Coupled with this challenge of entry into Sudan is the issue for staying once one arrives. Humanitarian #2 experienced security officers detaining aid workers even if they had all the correct permits. She stressed that if one protested in the slightest bit to detainment, GoS officials would declare that individual *Persona Non-Grata* and he or she would have 24 hours to leave the country. This had happened on numerous occasions to several of her colleagues (Humanitarian #2, 2006 [Telephone Interview]). Humanitarian #3 thought the arrests which occurred within her organization were timed by the GoS to detract attention from the military activities that were in violation of the Humanitarian Ceasefire Agreement (Humanitarian #3, 2006 [Interview]). The interference which the IC has experienced makes the protection and relief work all the more difficult.

In summation, the three areas where the IC has encountered problems with its protection efforts are: the IC's approach towards security, the strategy practiced by the humanitarians, and the obstacles on the IC's security and humanitarian operations created by the GoS. Before a solution to these problems will be presented, a brief discussion will follow on the variables which have emerged in answering research A.

#### *5.1.4 Discussion of research question A*

The six variables described concerning the problems facing the IC's third party's security efforts are: (1) strategy; (2) manpower; (3) mandate; (4) logistics; (5) expertise; and (6) relationship between the African Union (AU) and the United Nations (UN). It is significant that five of the six variables (strategy, manpower, mandate, logistics, and expertise) have been indirectly listed among other variables in published reports by the Brookings Institution/Bern University (2005), Refugees International (2005), and the

International Crisis Group (2005). These five variables appear to be valid based on a comparison of three circulated documents from recognized independent think-tanks which primarily focus on the AU's security force in Darfur. These variables can be linked to the lack of security and have affected the most immediate priorities of the IC's security efforts.

The sixth variable, the relationship between the AU and UN, highlights the interaction between the regional and global levels in representing the IC. The global level represented by the UN is finding itself dependent on regional organizations to carry out security operations at the request of its member states. Buzan and Wæver's Regional Security Complex Theory (2003) have noted the rise in the importance of the regional level as represented by post-modern organizations like the AU in having an expanded involvement in security operations. Such has been the case in Bosnia with the involvement of the European Union. However, as noted by Kingabe, in order for security to be provided for in Darfur by the IC, a partnership between the regional and global level is critical (Kingabe, 2006 [Interview]). Yet according to some of the interviewees this partnership is experiencing some issues.

The relationship problem between the AU and the UN might stem from the fact that the UN and AU compete for the same resources to fund their organizations. Two out of every three US dollars that support the AU come from the same western donor states which are seen as major contributors to the UN (Boulden, 2003). The undertaking of the AMIS in Darfur is by far the largest monetary source of income the AU has. Between October 2004 and October 2005, the AMIS cost almost a quarter of a billion US dollars, which is five times the AU's entire budget in 2004 (Mail and Guardian, 2004). This litmus test by the AU in Darfur appears to be seen as the AU's moment to shine and establish this newly recast organization in the eyes of the IC. However, with the likelihood that the AU might have to relinquish the command of security operations to the UN, such an action could fester continued ill-will between the two organizations which need to maintain a united front in order for the IC's security efforts to be most effective.

The protection by presence strategy practiced by the humanitarians is viewed as having great shortcomings. As noted by the humanitarians, the strategy requires the actual presence of humanitarian personnel to function. Yet when protection is needed most in the camps either at night or during times of insecurity, the humanitarians must leave the area. The displaced are most vulnerable during these situations. Due to the lack of security in Darfur, humanitarian organizations are scaling back operations. The UN has withdrawn entirely from the northern territory of Darfur where it had been providing basic services for a half million people (United Nations Daily News, 2006). The increase of insecurity makes the protection by presence strategy more cumbersome to implement when humanitarian organizations are recalling staff and downsizing operations.

The other two variables the research unearthed were the lack of control exhibited by the GoS over its allied Arab militia forces like the *Janjaweed* and the tactical obstructions the GoS has used to block the IC's humanitarian and security protection efforts. It was noted earlier that one of the root causes of the conflict was the competition between two ways of life, the nomadic groups and the farming communities over depleting land and water resources. The GoS has chosen to support the pastoralists in Darfur. This Arab nomadic group forms the basis from which the GoS sponsored *Janjaweed* operate. Given the lawless environment of Darfur, the observation by Stiansen that if the GoS were to curb the campaign of violence by the *Janjaweed*, the *Janjaweed* would in fact turn on the GoS (Stiansen, 2006 [interview]). This possibility makes the situation tense. The GoS has a vast, unmanageable territory under its domain. To maintain control the GoS must make local alliances with certain militia groups (The Global IDP Project, 2005). There is evidence of this in Darfur as well as in other parts of the country. In the past this has been the case in the south with the GoS supporting local elements which comprise the South Sudan Defense Force (SSDF) in fighting the SPLM.

The other variable in this section, concerns the obstacles experienced by the IC in terms of the GoS blocking efforts to protect. These obstacles have become more

pronounced in recent months. In the recent past the GoS expelled from the country, the Norwegian Refugee Council which was managing one of the largest IDP camps in Darfur (Sudan Tribune, 2006d). The GoS has also impeded the efforts of high level UN officials like Jan Egeland in visiting Darfur to assess the situation (Ibid). These obstacles have plagued the IC's humanitarian and security efforts to protect and added to preventing an increased build-up of operations in the region. A logical question arises as to what the IC can do to address these challenges. Research question B will provide suggestions as to what the interviewees believe to be the best means to increase the physical safety of the local population.

*5.2 Research question B) According to the professionals, what can be done to address these problems in order to more effectively impact the immediate protection priorities of the civilians of Darfur?*

This section will introduce the solutions suggested by the interviewees in addressing the problems encountered by the IC to address the civilian's most immediate protection needs along with a discussion on their application. The format will have possible solutions divided into three categories as previously listed: (1) solutions to the problems that the IC has experienced with its security activities; (2) solution to the protection by presence strategy that has been adopted by the humanitarian community; and (3) solutions to the GoS's obstacles created for the IC. The variables presented will attempt to demonstrate needed steps to increase the IC's protection efforts to minimize civilian casualties and further decrease the Crude Mortality Rate in Darfur.

*5.2.1 Solutions to the problems the international community has experienced with its third party security efforts*

With respect to the IC's approach to security as led by the AU, the six variables which have been listed as problems need to be addressed to increase the protection on the ground for the civilians of Darfur. Based on the interviews, these solutions are an attempt to get an appropriate strategy in place, manpower, mandate, logistics, expertise,



and maintaining the relationship between the AU and the UN to reflect the responsibility to protect rhetoric of the IC.

*5.2.1.1 Changing strategy.* Reeves succinctly pinpoints the strategy for any security presence in Darfur, saying: ‘We need a peacemaking, not a peacekeeping force because there is no peace to keep’ (Reeves, 2006 [Telephone interview]). These sentiments also resonate with Pronk and Kingabe (Pronk, 2006 [Interview]; Kingabe, 2006 [Interview]). A peace enforcement operation is a mechanism recognized as addressing the shortfalls of the current peacekeeping operation in Darfur. This action will expand the Rules of Engagement to pro-actively take on POC infractions beyond the limited engagements which Security #1 has noted earlier in his current list of duties (Security #1, 2006 [Telephone interview]). This translates into improving the capacity of the IC in regard to the next four variables.

*5.2.1.2 Increase manpower.* There is agreement by all the interviewees that the IC’s security presence needs to continue to expand. Having a larger security presence is a noted variable which the interviewees believe will better the POC situation and reduce civilian casualties. However, they have different opinions concerning how much the force should be increased. Leading the UNMIS, Pronk foresees a force that should incorporate the current AMIS force plus an additional 8,000 troops for a total of 15,000 personnel (Pronk, 2006 [Interview]). On the other hand, Reeves makes the case that a bare bones minimum of 20,000 troops is called for. He stresses this number is needed given the extreme, unforgiving terrain of Darfur. However, if the chances are that a security force might run the risk of being deployed in a non-permissive environment, the force will need to be a great deal larger than 20,000 (Reeves, 2006 [Telephone interview]). This means an increased presence of at least two to three times the current troop levels are needed to appropriately carry out protection activities in curbing the violence.

*5.2.1.3 Strengthen mandate.* Many of the interviewees mentioned strengthening the mandate under which the AMIS operates as a tool to better address the most immediate protection needs of the local population. This would move the pacific settlement of disputes outlined in the current Chapter VI to a more coercive use of force in dealing with acts of aggression stipulated by a Chapter VII mandate (United Nations, 1945). Stiansen makes the case, ‘Of course if you had a stronger mandate, Chapter VII you then could have better protection of civilians’ (Stiansen, 2006 [Interview]). A proactive Chapter VII mandate would give the AMIS a better chance at ensuring the safety and security for the population of Darfur. In light of his job, Security #1 views this as one of the most important actions the IC can take to improve the immediate protection priorities for the civilians (Security #1, 2006 [Telephone interview]).

Despite the lack of a strong mandate, the current AMIS force in Darfur has taken on additional measures to protect. Beyond his monitoring duties, Security #1 is responsible for:

‘Confidence building and security building patrols which are aimed at protecting the local population to give them the feeling that they are protected and that they have a communication medium which they can use to report any problems and pending attacks’ (Ibid).

Kingabe terms these measures to which Security #1 refers as ‘aggressive patrolling’ (Kingabe, 2006 [Interview]). The AMIS force uses these patrols as a deterrent for attacks or just to show a presence (Ibid). These patrols demonstrate that the AU has attempted to take a proactive posture with its protection duties. Kingabe also highlights the use of ‘military diplomacy’ as a proactive tactic which the AU has employed to diffuse a developing situation (Ibid). The AU engages members of the warring factions in dialogue to thwart a planned offensive (Ibid). These creative measures developed by the AMIS go beyond just a military stance. As confirmed by the Peace and Security Council of the AU, according to Kingabe, their interpretation of their mandate needs to be expanded until a much more robust mandate is established to protect civilians and with that the approval of the required manpower to achieve such ends (Ibid). These proactive

patrolling measures are necessary for the AMIS to increase civilian protection in lieu of the appropriate mandate. Still, the interviewees believe that having a clearly worded Chapter VII mandate to protect with the appropriate force level is vital.

*5.2.1.4 Improve logistics.* Kingabe comments that the logistical shortfalls experienced by the AMIS are due to a lack of resource support. Kingabe understands that in the joint partnership between the AU and IC, more resource support is needed to take on the additional mandate to protect (Ibid). He acknowledges the lack of resources is an area which they cannot maintain on their own. He notes, ‘It worked out well in the sense that the international community was in the deal, was that they had the AU more or less doing a sub-contractor work’ (Ibid). Hansen and Reeves specifically point out the need for helicopters to patrol the immense territory of Darfur (Hansen, 2006 [Interview]; Reeves, 2006 [Interview]). Humanitarian #2 suggests, ‘Getting the kind of logistical support, airlifting in supplies, and getting additional kind of vehicles’ (Humanitarian #2, 2006 [Telephone interview]). In addition, there is fundamental need for better armament to engage the lawless elements in Darfur who are committing acts of violence against the local population. Such logistic improvements are seen by the interviewees as being a variable which would advance the IC’s security efforts in Darfur.

*5.2.1.5 Training to increase expertise.* As noted by the humanitarians, the lack of training by the police component within the AMIS has made their working together a challenging experience. Some of the interviewees believe that there needs to be better trained security personnel in Darfur. Suggestions from Humanitarian #1 and #2 include sensitivity training and contextual knowledge of the conflict for security personnel (Humanitarian #1, 2006 [Interview]; Humanitarian #2, 2006 [Telephone interview]). This variable concerning training is recognized as aiding the efforts of the IC’s security component and addressing the expertise inadequacies.

*5.2.1.6 Maintain relationship between the AU and UN with command of security transferring to the UN.* The relationship between the AU and UN is significant to the protection of civilians in Darfur. Most of the interviewees stress that the ultimate device in impacting all the above mentioned variables (strategy, manpower, mandate, logistical, and expertise) of the AU security force is turning over the command and control to the UN. This thought is not voiced by Kingabe and Security #1, but has unanimous agreement among the rest of the interviewees. Stiansen points out that having the AMIS under the auspices of the UN would create ‘...a much stronger mandate and more people on the grounds that are better equipped’ (Stiansen, 2006 [Interview]). It is believed that having the UN in charge of security in Darfur would improve POC. Humanitarian #2 supports the idea,

‘...to replace the AU with actual blue helmet [UN] peacekeepers with an actual mandate to protect people. But that would be a huge step forward in my view at least from the protection perspective to have people in place who can actually protect civilians’ (Humanitarian #2, 2006 [Telephone interview]).

The leader of the UNMIS, Pronk, notes that he has already started planning to take over security operations in Darfur as confirmed by the AU Peace and Security Council in 2006. He advocates this plan, commenting, ‘...if the UN are so lucky to keep the AU troops that are present at the moment in Darfur, but make them UN troops’ (Pronk, 2006 [Interview]). This illustrates the point that any security operation will be both a UN and AU joint effort due to the large manpower requirements involved. It is therefore vital that the partnership between the AU and UN be maintained. This relationship is to ensure the global and regional levels maximize each other’s strong suits. As noted by Kingabe earlier, the AU has provided the manpower with the resource support coming from the international community as represented by the UN (Kingabe, 2006 [Interview]). The relationship between the two organizations must be preserved given their apparent need for one another in providing third party security in Darfur.

### *5.2.2 Continuous presence*

In order to curb the gender based violence and the criminal activities being carried out in camps, a 24-7 presence of the humanitarians and the AMIS police component is warranted to fulfill the protection by presence strategy. The camps must be made safe enough so that the humanitarians can have an actual presence, as well as carry out their duties in providing basic services. As cited by Marshall ‘...the humanitarian environment is decreasing due to the amount of insecurity’ (Marshall, 2006 [Telephone interview]). He believes that the IC needs to get ‘...more forcefully and more efficiently on the ground’ to ensure better POC (Ibid). This thought is shared by many of the other interviewees. The humanitarians also need to be present in the camps with their international staff to meet the basic requirements of their protection by presence strategy. The humanitarians maintain that when the IC is present, atrocities against civilians seldom occur. Humanitarian #1 notes:

‘Our role it to pressure and work with armed protection services as well, the GoS, the GoS police, particularly the AMIS. We have done a lot of pressuring to get AMIS to have a presence around the camps and that has made a big difference’ (Humanitarian #1, 2006 [Interview]).

These efforts to increase the presence of the IC’s security services should be extended to a round the clock presence.

### *5.2.3 Application of smart and political sanctions*

The common recommendation gathered by the data to combat the obstacles and violations by the GoS and warring parties is the imposition of smart sanctions against their leadership by banning travel, freezing assets abroad, and political condemnation.

The current economic sanctions in place, such as the US’s bilateral trade sanctions are viewed by the interviewees as not being successful. Stiansen notes that these economic sanctions are being undermined and ‘...they never proved that effective’ (Stiansen, 2006 [Interview]). Pronk shares these sentiments saying, ‘Economic sanctions against the country, no. It wouldn’t make sense. They [the GoS] just care about

themselves at the moment [...] but not sanctions against the population, but sanctions against those who are responsible' (Pronk, 2006 [Interview]). Some of the interviewees foresee the application of smart sanctions targeting the leadership of the GoS and the warring parties, not the people, as being the most effective means by which to pressure the parties to cooperate better with the IC.

These smart sanctions can be divided into two groups. The first focuses on the leadership as individuals and the second addresses them as a group. For the individual leaders of the GoS and warring parties, Pronk envisions travel sanctions, along with the freezing of personal financial assets outlined in the United Nations Security Council's Resolution 1591 (Ibid) . However, these have not been universally enforced by all member states according to Pronk (Ibid). Certain states have been more willing to enforce these measures than others. It is required that all states implement the recommendations made by the resolution, yet divisions within the ranks of the IC have made this a difficult task.

The other proposal which could prove useful against the GoS as a whole is the continued application of political sanctions. Stiansen observes that when the GoS was denied the AU chairmanship in early 2006, that the denial:

'...was a serious snub for the president and the government as a whole. This episode also demonstrated that the Sudan will continue to have a special status until the crisis in Darfur, and other flash points, are dealt with in a satisfactory manner' (Stiansen, 2006 [Interview]).

In order to get the GoS to comply with the IC's efforts in Darfur, it may be necessary to prevent GoS leadership roles or its political involvement in collective state organizations. Both these measures within the smart sanction framework need to be forcefully and collectively applied by all members of the IC to ensure the GoS knows that the IC is serious about its protection activities. This smart sanction's variable is the only solution provided by the interviewees in which the IC can censor the warring parties in an attempt to overcome the challenges they have put forth.

The answers to research question B provide recommendations for the three categories with the IC's approach to third party security, humanitarian strategy, and complications created by the GoS. A discussion of these solutions will highlight certain points that should be taken into consideration concerning their application.

#### *5.2.4 Discussion of research question B*

The six recommendations according the interviewees that can assist the IC with the problems it is encountering with its security approach are: (1) adopt a more appropriate strategy; (2) increase manpower; (3) strengthen mandate; (4) improve logistics; (5) more training to increase expertise; and (6) better relationship between AU and UN. A few observations can be made regarding these variables.

The strategy employed by the IC to provide for POC needs to be a peace enforcement operation, not a peacekeeping one. This strategy has an effect on the mandate, logistics, manpower and training variables. The current chapter VI mandate of the AU peacekeeping force dictates a lightly armed presence operating under the consent of the parties. This Chapter VI mandated mission is supposed to keep the peace so that a negotiated settlement can be reached. Stressed by Reeves, there appears no need for a peacekeeping mission since there is no peace to keep given the repeated violations to the Humanitarian Ceasefire Agreement (Reeves, 2006 [Interview]). As noted by the *Tactic Manual for Nordic Peace Support Operations*, a peace enforcement operation is required to compel the parties to comply with a specific course of action, which in the case of Darfur is the protection of civilians (Committee of Nordic Co-operated Arrangement for Military Peace Support, 2002).

Due to the warring parties' non-compliance, a Chapter VII mandated mission is required. This translates into the need for a much more heavily armed force to achieve these ends (Ibid). According to the data the security presence in Darfur has basic logistic shortfalls, for example, vehicles and helicopters. If a mandate were in place to permit a much more robust force, the logistics involved would be much greater. So far just meeting basic transportation requirements has been a challenge. Questions arise as to

how such a force would be able to ramp-up its equipment to meet the logistic necessities of more proactive mandate.

Another factor to be aware of with the application of a more robust mandate would be its implications for the Rules of Engagement. A Chapter VII mandate would expand the Rules of Engagement (Ibid). The use of deadly force would no longer limit the IC's security arm to its application in self-defense situations only. The tactical decision to protect civilians by the IC might have further reaching political consequences at higher levels if the IC's troops are engaging the warring parties in combat in order to protect Darfur's population. The possibility of misinterpretation by the IC's well intended protection actions could have an unforeseen negative impact in other areas.

The recommendation for increased capacity of manpower is warranted to address the shortfall of personnel variable. Experts familiar with peace operations note there should be three and half soldiers for every 1,000 people in need of protection (Dobbins et al, 2005). This puts the number needed in Darfur at a minimum of 20,000 troops. As noted by Reeves this number can easily be expanded if you factor in the lack of infrastructure, hostile terrain, and the thousands of communities spread over long distances (Reeves, 2006 [Telephone interview]). With the current strategy in place there needs to be a presence in order to protect. Pronk has suggested that 15,000 troops would suffice, but it appears that number needs to be higher, more in line with Reeves recommendation of at least 20,000 (Pronk, 2006 [Interview]; Reeves, 2006 [Telephone interview]). This increase in personnel might be a difficult task based on the deficit of manpower that the UNMIS is experiencing in the south of the country. The UNMIS is still 3,000 troops short of its mandated target of 10,000 since it first deployed 18 months ago (Pronk, 2006 [Interview]). Since the UNMIS is viewed by the IC as taking over security operations in Darfur, its under capacity of personnel in the south of Sudan might be evident to a similar problem that could occur in Darfur.

The lack of expertise variable which the data has mentioned concerning the AU personnel is only noted by the humanitarians. The view that humanitarians hold of their security counterparts might be culturally based given the different backgrounds of each



group. The AU troops hail from developing, mostly pre-modern countries in Africa, whereas the humanitarians are from developed, post-modern states. Initiatives have been funded by developed countries such as Norway with its Training for Peace (2003) program to educate African police personnel on western police practices. Training for Peace helps provide a common platform which enable police and other peacekeeping personnel to be on the same operational level regardless of cultural background when working within internationally sponsored protection ventures (Ibid). These programs could be expanded to further standardize practices to better assist within protection activities which are diverse in their staff composition.

The salvation of the manpower, mandate, logistical, and expertise shortcomings of the AU's security apparatus are believed by most of the interviewees to be most effectively addressed by turning over the responsibility to provide for the physical security of the region to the UN. In mid-March 2006, the AU has in fact agreed in principle to make such a move. Yet as evident by remarks by Pronk and Kingabe, there will need to be a continued partnership between the two organizations because of the manpower shortages the UN is experiencing with operations in the south of Sudan (Pronk, 2006 [Interview]; Kingabe, 2006 [Interview]). The partnership between the two organizations is therefore vital for the protection activities.

The recommendation to have a 24-7 presence by the humanitarians in the camps to protect the displaced population when they are their most vulnerable might also have the unintended consequence of putting them in harm's way as well. With the insecurity of Darfur well documented, the international staffing of camps might for good reason be limited. Until the physical security of the region improves the humanitarians are left with their hands tied regarding their activities.

In order to combat the obstructions put in place by the GoS, all actors who comprise the IC should project a unified stance. The smart sanctions recommended by the interviews can only work if all members of the IC honor them. Thus far there have

already been examples of member states having violated travel restrictions on GoS officials. For example, England permitted the head of the GoS's intelligence services to receive medical treatment in London despite a record of human rights violations carried out against the civilians of Darfur (BBC News, 2006a). Acting as single entity in the eyes of the warring factions in Darfur is necessary for the IC to get the parties to adhere to the standards of protection the IC has demanded from them. Divisions within the IC will only impede the IC's security and humanitarian efforts and could well be exploited by the GoS and warring factions.

*5.3 Research Question C) What problems do a selected group of professionals think the international community has encountered in addressing the more long term protection priorities of the civilians in Darfur?*

In addressing research question C, the interviewees' responses can be divided into five areas which they believe are problems the IC is experiencing when impacting the population's long term protection priorities. The main problem sets are: (1) the lack of commitment to negotiated agreements; (2) the peace process in Abuja; (3) the lack of a functioning ceasefire agreement; (4) political power sharing; and (5) wealth sharing. These categories can be connected to the political activities conducted by the IC, led by the AU.

*5.3.1 Lack of commitment by the warring parties*

The hypothesis for research question C was that one of the main sources concerning the issue of protection was the deficiency in commitment by the warring parties to the negotiated Humanitarian ceasefire agreement. Kingabe mentions that one of the most common hindrances by the interviewees is, '...the parties of the conflict were not going to live by their commitments' (Kingabe, 2006 [Interview]). From the tactical level, Security #1 notes, 'Disregard for the Humanitarian Ceasefire Agreement by all parties in the conflict is the single most attributed source for the lack of protection and physical safety of civilians' (Security #1, 2006 [Telephone interview]). Pronk and

Stiansen also understand the lack of commitment to ceasefire agreement has undermined civilian protection (Pronk, 2006 [Interview]; Stiansen, 2006 [Interview]). Stiansen comments, ‘Something of course, you must never ever ease or forget to insist the parties must honor agreements they have signed, and the GoS has responsibilities to provide a safe environment for its civilians’ (Ibid). This non-commitment to political agreements is a factor critical to the protection needs of the civilian population.

Based on the responses of the interviewees, it appears that the hypothesis for research questions C is strengthened by the data. One of the main sources for the protection shortcomings experienced by the IC is the lack of commitment of the warring parties to their negotiated agreements, such as the Humanitarian Ceasefire Agreement. This history of non-commitment to their negotiated obligations by the warring parties, either because they are unwilling or unable to do so, is clearly an area that the IC must address if any new political agreements are put in place to resolve the conflict. There are also other factors which the interviewees mention along with the hypothesis for research question C.

### *5.3.2 Peace talks in Abuja*

When it comes to the peace talks concerning Darfur in Abuja, there has been a comparison made between those talks and the peace talks which recently concluded between the north and the south of the country. Stiansen highlights a point shared by some of the interviewees:

‘The Darfur talks are much more complex and complicated than the talks between the north and the south for the CPA. It’s just much more difficult, in the south we had a fairly predictable environment; we knew the players. In Darfur it’s not the case at all’ (Ibid).

Despite these problems with the peace talks, according to Pronk, ‘Abuja is the only game in town’ (Pronk, 2006 [interview]). There are five factors which the interviewees find fault with the current peace talks. The first is the issue of legitimacy which has made it much more cumbersome for the IC to address the issue of who represents the genuine

interests of the people of Darfur and whether or not all the parties who should be participating in the negotiation progress are involved. The second category is the fragmentation within the opposition parties at the negotiating table. The third and fourth categories are the quality of leadership within the rebel groups both on the ground and at the negotiations. Finally, the fifth is the overfacilitation of the peace process by the IC. These five problematic areas are variables which need to be addressed for the political efforts conducted on behalf of the people of the region.

*5.3.2.1 Legitimacy.* One of the cited threats to the long term needs of POC by Pronk and Stiansen revolves around the concept of legitimacy in political representation (Pronk, 2006 [Interview]; Stiansen, 2006 [Interview]). Even though the talks have yet to be concluded, Stiansen makes a point:

‘Here in the case in Darfur you have a legitimacy question, but the question can they actually deliver, are the people with them. Are the negotiators at the talks able to deliver on the ground? Can they get the promises that are made at the talks implemented on the ground?’ (Ibid)

According to Pronk concerning the discussions in Abuja, ‘... power and wealth being discussed between the GoS and the movements, neither of the two and the movements are many, are representative of the real perspective of the people of Darfur concerning power or wealth’ (Pronk, 2006, [Interview]).

The issue is that the people do not feel represented by either the GoS or the warring factions. Humanitarian #3 says, ‘...you have a large percentage of the population that hasn’t taken any sides in the conflict and have tried to stay neutral. And they are not even a part of the negotiations’ (Humanitarian #3, 2006 [Interview]). Even if an agreement is reached, there is some doubt that it will actually be implemented by all the people and parties whose voices are missing in its creation.

This limited popular mandate to negotiate as a variable also extends to certain groups who are key players in the conflict. Arab militia groups including the infamous *Janjaweed* are mysteriously absent from the political process. Pronk is concerned that an

agreement in Abuja will be contested by those who were not included in the deal, especially those groups who are armed and have been involved in the majority of the fighting (Pronk, 2006 [Interview]). The Arab militias have been the extension of the GoS's military in Darfur and if such involved groups are nonexistent from the peace negotiations, it could cause serious implementation problems for the peace agreement. Pronk also brings attention to the fact that in past negotiations that produced agreements like the Humanitarian Ceasefire, the Arab militias were not included and as previously mentioned the results of its execution were disastrous (Ibid). With having just three parties present in Abuja, the GoS and the two rebel groups, the SLM and the JEM, the exclusive nature of the peace process raises the question of legitimacy.

The legitimacy variable could very well have a negative impact on the application to any agreement reached in Abuja. The implementation of any agreement would be severely questioned and even challenged if it does not have the backing of the people and all the parties involved. This factor warrants further attention in order to secure a lasting solution in the peace process.

*5.3.2.2 Fragmentation.* The second variable is the split within the opposition parties. Pronk recognizes that divisions within the parties are hampering the IC's political efforts in Abuja (Ibid). Hansen remarks that these rebel groups are:

‘...split, lack of unity, they lack good leaders and good negotiators. They have added to the situation by messing everything up. They haven't understood the worst thing you can do for yourself is not be unified’ (Hansen, 2006 [Interview]).

The SLM has at times fielded two separate delegations at the negotiation table. Given the different backgrounds of the JEM and SLM, these groups have fought among themselves, slowing down the negotiations. A three or sometimes four way negotiation process between the opposition parties and the GoS in Abuja has certainly created a challenging atmosphere in forging a satisfactory peace accord for all parties and the region of Darfur as a whole.

*5.3.2.3 Quality of leadership.* The quality of the leadership within the rebel movements is another impediment weakening the peace talks. Hansen comments on the rebel leadership, ‘The few academic leaders, they have been chased out. The only ones left in the leadership role are warlords that believe the only power is only in the barrel of a gun. They are in command’ (Ibid). This lack of a political mindset within the ranks of the rebel factions makes the diplomatic activities all the more difficult in achieving a settlement.

*5.3.2.4 Quality of the negotiators.* As is the case with legitimacy of the people and parties, the negotiators of the opposition movements are seen as not even representing the interests of their own groups. Pronk tells of meeting with the rebel leaders in Abuja, saying:

‘If you talk with the leaders in Abuja and you ask where do you live? Birmingham, sir; Amsterdam, sir; I am coming from Chicago. They all come from outside. It really means they don’t have a real life need to change their own situation outside’ (Pronk, 2006 [Interview]).

The absence of negotiators actually residing in Darfur plays into the previously mentioned legitimacy issue. Besides not representing the people, they also have a disconnection with their own groups who are carrying out the fighting. There is no real incentive for the rebel negotiators to reach an agreement for their own sakes. In fact, those familiar with the talks wonder if the desire by the negotiators might be to drag out the talks due to other misguided factors by the IC in assisting the peace process.

*5.3.2.5 Overfacilitation of peace talks.* The Abuja process is faulted by Pronk as being overfacilitated by the IC. This is in contrast to past peace processes where negotiations broke down because they weren’t facilitated at all. Pronk comments that the negotiators,

‘They are being paid to negotiate, not being paid to reach a result. To reach a result would mean for many they would not get a per diem anymore. They don’t have a power organization. So why should they reach a result? [...] I sense a

greater desire to get peace on the ground at all sides, the GoS on the ground, the rebels on the ground than I sense in Abuja' (Ibid).

The monetary compensation which the IC is paying the rebel delegations might have the unintended consequence of prolonging the peace talks. Most of the interviewees remark about the delay and express apprehension concerning the extended amount of time taken to finalize a settlement. This factor coupled with the division within the ranks of the opposite factions, the quality of leadership and the lack of association to the conflict situation might be extending the peace process and have added to an increased likelihood that an agreement reached in Abuja might not be an enduring one.

### *5.3.3 Absence of a functioning ceasefire agreement*

In addition to the issues of commitment and the peace process in Abuja is the absence of an effective ceasefire mechanism for Darfur. This device is viewed by several of the interviewees as being a critical precursor to any peace agreement that is reached and implemented. Marshall, Reeves, Pronk and Humanitarian #1 all mention the importance of having a working ceasefire in place before the negotiations in Abuja should have begun (Marshall, 2006 [Telephone interview]; Reeves, 2006 [Telephone interview]; Pronk, 2006 [Interview]; Humanitarian #1, 2006 [Interview]).

The Humanitarian Ceasefire has clearly proven to be a fictional ceasefire agreement in practice. Pronk observes,

‘... the ceasefire agreement from N’Djamena which is flawed fully. It is being violated time and again, nearly on a day to day basis and its violations are noted, but they are not being discussed, not being addressed, not being sanctioned’ (Pronk, 2006 [Interview]).

This is problematic for the peace talks which are attempting to reach an agreement over highly contested topics such as political power and economic wealth. Pronk also emphasizes that, ‘You need to trust each other that you don’t attack each other, even more if you disagree or don’t yet agree in order to continue to find a solution’ (Ibid). This logic can only be applied when there is a genuine ceasefire in place. The parties in

Darfur continue to fight despite sitting at the negotiation table in Abuja and that makes it much more challenging to arrive at a meaningful peace agreement to which they will commit. Any agreement made under duress could have a much more difficult time being implemented than one created in the kind of trusting environment Pronk suggests.

#### *5.3.4 Political power sharing*

Several interviewees blame the IC for its sequencing of the peace processes. This has diminished the political power sharing component within Abuja which is seen as addressing the marginalization of Darfur. The IC made a conscious decision to deal with the CPA between the north and south first, before concentrating on Darfur. Hansen gives an account at a state toast in June 2005 when John Garang, the former leader of the SPLM of the south, insisted on having a reference to Darfur in the CPA document.

‘GoS Vice President Taha told him if you insist, we will not sign and finally the Norwegian advisor had to enter and persuade [Garang] to accept that there wouldn’t be a reference to Darfur within the CPA’ (Hansen, 2006 [Interview]).

In hindsight this sequencing decision is believed to have caused serious problems with the peace talks in Abuja. Stiansen notes that by not linking Darfur with the signing of the CPA,

‘...the issue of the power sharing arrangement with the CPA; it is now more difficult to solve the crisis in Darfur. The rebels of Darfur are concerned about the power and wealth sharing at the center in Khartoum, what is left of the cake after the GoS and SPLM have taken doesn’t really meet their wants’ (Stiansen, 2006 [Interview]).

The cake analogy has been voiced on a few different occasions within the interviews. The sequencing mistake is viewed by Marshall as severely undermining the success of a peace agreement coming out of Abuja for Darfur due to the fact that there is no political power left to negotiate over (Marshall, 2006 [Telephone interview]).

The political power sharing component has been much trickier to hammer out in Abuja. Along with the peace talks themselves, this is evident in the time that it is taking



for the parties to reach an agreement. As commented on by Humanitarian #3, ‘The political process in Abuja is disturbingly slow’ (Humanitarian #3, 2006 [Interview]). Such frustration has been echoed within most of the interviews. There needs to be ways in which the IC can address the political power variable that has been altered with the sequencing of Darfur after the CPA.

### *5.3.5 Wealth sharing*

Along with the political power sharing component is wealth sharing. This variable is also believed to address some of the causes of the conflict associated with the marginalization of Darfur. Pronk understands land rights to be a critical issue (Pronk, 2006 [Interview]). In advising the AU negotiations on wealth sharing, Stiansen mentions, ‘One of the most important levels that dictates one of the more long term levels of the war is the environmental degradation, competition for land’ (Stiansen, 2006 [Interview]). The IC needs to confront the competition for resources to assist in alleviating one of the sources of the conflict between GoS sponsored forces and the opposition groups.

In addition to the land issue, within this wealth power sharing framework, is the more fair distribution of wealth between the GoS and the region of Darfur to ease marginalization. Marshall, Reeves, and Hansen comment that a problem has been that the GoS not honored its wealth sharing agreements in the CPA with the SPLM in the south of the country regarding revenue the GoS has promised the SPLM (Marshall, 2006 [Telephone interview]; Reeves, 2006 [Telephone interview]; Hansen, 2006 [Interview]). This fosters mistrust in the Abuja negotiations. Reeves believes the GoS in the CPA is doing a, ‘...full scale reneging on their wealth sharing protocol commitment’ (Reeves, 2006 [Telephone interview]). He continues to point out that the people of the Darfur have seen the, ‘agreement [CPA] has not being upheld by Khartoum which provides the incentive to fight’ (Ibid). Hansen notes that ‘...they [the GoS] haven’t given them [SPLM] that money so far, it is a shame’ (Hansen, 2006 [Interview]). To ensure that all

parties will agree and honor any settlement that is reached, the IC must address this issue of wealth sharing.

The five categories presented in answering research question C are: (1) lack of commitment; (2) peace process in Abuja; (3) lack of a functioning ceasefire agreement; (4) political power sharing; and (5) wealth sharing. These variables serve as the basis of a discussion in light of the research question C.

#### *5.3.6 Discussion of Research Question C*

The lack of commitment by the warring parties to their negotiated agreements was posed as the hypothesis for research question C. The data gathered in the results appear to support the idea that the lack of commitment is an area which the interviewees believe to be one of the main sources for the deficiency in POC in Darfur. The lack of commitment by the warring parties has caused the IC to greatly expand its security and humanitarian presence in Darfur from the initial assumption as noted by Kingabe. The assumption was that the third party security forces were in Darfur to monitor the ceasefire, not provide for civilian protection which was the duty of the warring parties (Kingabe, 2006 [Interview]). With the warring parties not following through on their commitments, the IC over the last few years has had to step up its involvement, yet with a strategy that has been cited in research question A as having faults. Even though the lack of commitment is one of the more agreed upon problems the IC is facing, other variables have been presented in the data which are seen as having a negative impact on the IC's diplomatic efforts to address the population's long term protection priorities.

The political efforts of the IC have been criticized by the interviewees, who cite variables which may have a negative impact on any agreement reached in Abuja. First is the peace process itself with the issues of legitimacy of the people of Darfur and the parties which have been excluded from Abuja. Their exclusion could have implementation consequences for any peace agreement reached. There are also issues of fragmentation within the negotiating efforts of the warring factions, the quality of

leadership, the quality of the negotiators, and the overfacilitation of the peace talks are all areas which are seen as extending the time taken to reach an agreement. As of spring 2006, the peace negotiations have taken two years. During this time frame, the POC situation has continued to deteriorate with a growing number of casualties and displaced.

The third problematic variable cited by the interviewees is the environment of distrust which is fostered in the absence of a functioning ceasefire mechanism. The continuation of the fighting between the warring parties with the ongoing peace talks could certainly be viewed as a poor atmosphere within which to conduct negotiations. Recently one of the opposition factions, the JEM briefly took over the GoS's embassy in Chad (Sudan Tribune, 2006c). Aggressive actions such as this raise doubt on the circumstances a peace agreement is crafted.

The fourth factor which has been faulted is political power sharing. This variable is seen as alleviating some of the marginalization of Darfur. As commented on by the interviewees, the sequencing of peace processes with the CPA between the GoS and the south coming before the conflict in Darfur was addressed has made the sharing of power more difficult. The central government of Sudan has been restructured to permit for SPLM to participate at the national level. Any effort to include the represented parties of Darfur in Khartoum needs to contain a political power mechanism in a governmental system that has already undergone severe change within the last year.

The fifth variable, the issue of wealth sharing to address the economic marginalization of the region, has placed the IC in a difficult situation. The environmental degradation which has occurred in Darfur along with the massive urbanization of the local population makes the issue of wealth more challenging to address. The issue of land has been viewed as a component within the wealth framework warranting attention by the IC. The IC cannot reverse environmental degradation. Land reform measures have to take into account a displacement of millions of people in a impoverished area who might not be able to provide for themselves without relief assistance from the outside.

*5.4 Research Question D) According to the professionals, what can be done to address these problems in order to more effectively impact the long term protection priorities of the civilians of Darfur?*

Based on the five categories listed under research question C, there is a set of solutions the interviewees think should be implemented so that the long term protection needs of the civilian population can be ensured. In order to address the lack of commitment by the warring parties to their negotiated agreements, the study has hypothesized for research question D that Walter's CCT might be helpful in addressing this issue. Walter's CCT (2002) postulates that the application of power sharing and third party security guarantees is needed for the parties to adhere to their agreements.

These provisions are already present in the Abuja talks to get a political solution in place. However, the remaining four variables in answering research question C demonstrate some doubt as to the application of this hypothesis as the exclusive means for obtaining a long term solution. This is due to the peace process itself, the absence of a ceasefire mechanism and of problems associated with political power and wealth sharing. According to the interviewees, these variables must be addressed as well if the Abuja political process will produce an agreement that will be committed to by all parties. This section will offer recommendations suggested by the interviewees, along with a discussion on their implementation.

*5.4.1 Application of credible commitment theory to address lack of commitment by the warring parties*

The political activities of the IC, much like the security efforts, have centered on the AU taking the lead role on Darfur. As noted by Kingabe in addressing the long-term protection priorities:

‘The key to all this is the peace talks in Abuja. The sooner they conclude, the sooner we have a good faith agreement, the sooner we will have an enabling environment in which the usually post conflict issues can be addressed by the UN and other organizations like the right of return’ (Kingabe, 2006 [Interview]).

The interviewees see the peace talks as the sole diplomatic conflict resolution mechanism to address the long-term protection priorities of the civilian population. When the interviewees were asked about the power sharing, wealth sharing and third party security guarantees within the hypothesis that have been discussed in the CPA as being applied in Abuja, they underscore the importance in *principle* of these variables within Walter's CCT. Reeves, Hansen, Kingabe, Stiansen and Marshall, who are familiar with the political process, see the relevance in applying these variables to Darfur (Reeves, 2006 [Telephone interview]; Hansen, 2006 [Interview]; Kingabe [Interview]; Stiansen, 2006 [Interview]; Marshall, 2006 [Telephone interview]). Hansen notes, 'I think, yes, I think the basic principles of the CPA can be applied to the situation in Darfur' (Hansen, 2006 [Interview]). In referring to Darfur, Stiansen comments, 'I think they are very relevant. There are many generic principles in the CPA that have to do with power and wealth sharing' (Stiansen, 2006 [Interview]). When describing the variables that make up the hypothesis as a whole, most of the interviewees recognize the logic in the principles of CCT as being the all encompassing mechanisms needed to solve the commitment problems of the warring parties.

However, other factors beyond these variables need to be taken into account to insure that any peace agreement agreed upon will actually be implemented. Kingabe says in regards to the talks in Abuja, 'Basically, I do not see it as a long term settlement, but it will lay the foundations' (Kingabe, 2006 [Interview]). The talks in Abuja with their focus on power sharing, wealth sharing, and third party security guarantees are therefore possible just one of many steps in a long process in meeting the long-term POC concerns of the civilian population. There is an underlying theme in the data that raises suspicion to whether the hypothesis can be the only device in addressing long term protection needs.

In connection with the hypothesis for research question D the interviewees have noted issues with the peace talks and how they are being conducted. Such criticism points out the difficulties the AU is having in trying to get a permanent conflict resolution

mechanism out of Abuja. In answering research question D, solutions to these variables will be proposed.

#### *5.4.2 Elections, composite mandate and Darfur-Darfur dialogue*

Those familiar with the discussions in Abuja have expressed a central concern. They believe the voices of the civilian population need to be heard. Stiansen stresses that, ‘The people of Darfur have legitimate grievances that must be addressed and dealt with’ (Stiansen, 2006 [Interview]). Since the overwhelming majority of civilians have not been represented in Abuja, many of the interviewees suggest the holding of elections. Both Kingabe and Pronk are on the same page with the idea of supplementing Abuja with authentic Darfur ownership to any peace agreement that is reached. Pronk remarks that ‘...an all inclusive, all Darfurian process as a next step after the rather flimsy results of the talks in Abuja and it may take quite a period [...]. We need elections to get a kind of consensus’ (Pronk, 2006 [Interview]). This consensus will hopefully give backing to the commitments made in Abuja so that all the people, tribes, ethnic groups, and the militias that represent them will be included. Kingabe as well calls for ‘...an agreement that is owned by the people, such as elections and so on. So that down the road, it is a long road, there will be a democratic setting for a discussion of issues, claims, counterclaims that are settled at the ballot box’ (Kingabe, 2006 [Interview]). This means that for the long term prospects of peace, the buy-in of the population is recognized as critical to a lasting political solution.

In addressing the absence of certain parties from the negotiations, Pronk foresees the application of a composite mandate to guide the UN’s security efforts in this predicament. Pronk notes:

‘There will be more Chapter VII, than Chapter VI. I will make it a composite mandate, simple language, Chapter VI for the good guys, Chapter VII for the bad guys. Those who are reaching a peace agreement in Abuja can be rewarded with a Chapter VI mandate. You want us to help you to keep the peace, but there are many people who are not even present in Abuja’ (Pronk, 2006 [Interview]).

This means that a distinction will be made among those parties participating in the talks and those parties who are not. The third party security guarantees by the IC to a peace agreement will be divided into two camps. The Chapter VI mandate means that parties involved in the talks, such as the GoS, the JEM, and the SLM, will have consented to the presence of a third party force. The *Janjaweed* and other militia groups will have to have a third party security presence imposed upon them by a Chapter VII mandate. This device will assist the IC in dealing with one side of the legitimacy issue.

Another recommendation is the promotion of dialogue among the people of Darfur to supplement any agreement coming out of Abuja. Kingabe acknowledges that once an agreement is reached, ‘...we will organize a Darfur-Darfur conference and maybe supplement with local knowledge, local inputs’ (Kingabe, 2006 [Interview]). The Darfur-Darfur dialogue will also employ some local conflict mechanisms to assist the political process in Abuja. Kingabe and Humanitarian #3 foresee the application of devices that can aid the reconciliation process (Ibid; Humanitarian #3, 2006 [Interview]). Kingabe gives examples of blood money and intermarriages; ‘I am quarrelling with you, and my own tribal leader will offer my daughter in marriage and that will cement the relations between our tribes’ (Kingabe, 2006 [Interview]). With this Kingabe ‘...hopes through the Darfur-Darfur conference these mechanisms will come into play. They will underpin the mechanical agreement that is negotiated in Abuja’ (Ibid). In his view, this is vital in addressing Darfur within its own context. Kingabe remarks,

‘At the end of the day, all conflicts cannot be reduced to a formula, a fit all formula. Each conflict has its local conditions, local background. Yes, it is the Sudanese parties that are in Abuja negotiating, but they are using the language of the mediators and the advisors. They have factored in, unconsciously, the fact that there is need for a Darfurian ownership of whatever agreement is reached and the Darfur-Darfur conference that is envisioned’ (Ibid).

The Darfur-Darfur dialogue variable is a device that can be used to seek local level inputs. A formula for conflict negotiation like CCT needs to take into account the context in which it is applied. The local mechanisms used in the past to resolve disputes

in Darfur are variables that should be factored into any political resolution reached in Abuja.

#### *5.4.3 Working ceasefire agreement*

To address the issue of a non-functioning ceasefire, Pronk wants to examine the ceasefire mechanism. He points out, ‘You need two mechanisms. You need a political mechanism and you need a force on the ground to keep it up’ (Pronk, 2006 [Interview]). Both these mechanisms are in place, yet they are not working. Pronk suggests that to get them working again, the chair of the Ceasefire Commission, Chad, needs to be removed. He notes, ‘There is a committee chaired by Chad and the AU, Chad is a party. Chad is not an independent chairman, which means the meetings are not even taking place. You can continue violating everything, nobody cares’ (Ibid). By removing Chad from the Ceasefire Commission, the IC might be able to get a functioning ceasefire agreement. This strategic variable is essential in getting a meaningful peace agreement in place by stopping the fighting which continues to threaten POC. Without such a mechanism, any agreement that is reached in Abuja might be undermined despite the power sharing, wealth sharing and third party security guarantees it might contain.

#### *5.4.4 Decentralize political power*

The division of political power between the SPLM and the GoS with the signing of the CPA in 2005 means there is no political power left which warring factions can negotiate over. Hansen offers the suggestion of decentralizing political power in Sudan so that the warring factions in Darfur will have an incentive to accept a political solution in Abuja and address the political marginalization of the region (Hansen, 2006 [Interview]). Even though Stiansen views this as necessary, he adds, ‘Also keep in mind you must reverse decades and maybe centuries of thinking. Breaking this notion of centralized government, everything convenes in Khartoum’ (Stiansen, 2006 [Interview]). Such an undertaking to decentralize political power in Sudan is a tricky one at best. The challenge faced by the AU’s negotiating efforts in Abuja might be one of several factors



which have been slowing down the peace process. Getting an agreement in place to reflect the hypothesis for research question D based on Walter's CCT, will require overcoming political power sharing hurdles. To achieve these ends, the GoS mindset forged over many years must be changed.

#### *5.4.5 Land reform*

The marginalization of Darfur also includes the wealth issue. Stiansen believes the subject of land is a critical factor with its economic marginalization (Ibid). He notes the IC must create mechanisms that provide access to land and the right of compensation (Ibid). This will assist the IC in dealing with the wealth sharing variable at the local level. Yet Stiansen also contends that the massive urbanization movement occurring over the last three years and the drought generated environmental degradation of the region have made these tasks more difficult for the IC (Ibid).

The five solutions presented in answering research question D offer recommendations as to how the IC can overcome the challenges to the problems it is facing addressing the long term protection requirements of the local population. A discussion on these solutions will follow on issues which need to be taken into account concerning their application.

#### *5.4.6 Discussion of Research Question D*

The study's hypothesis for research question D suggest that the variables in Walter's CCT such as power sharing and third party security guarantees might serve as the only means to address the issue of commitment appear to be in doubt. The third party security approach received the attention of research questions A and B, while the political power and wealth sharing compose research questions C and D. These variables have been discussed at the peace talks in Abuja for the last two years. In principle the interviewees have agreed that the hypothesis sounds logical, but other circumstances in the context of Darfur might hinder the application of the hypothesis for research question

D as the *sole* political mechanism to deal with the issue of commitment. Problematic variables have emerged from the data concerning the IC's political activities to achieve these ends. These variables will be discussed as to the practicality of their implementation in the context of Darfur.

To combat factors of legitimacy within the peace talks, the data has presented three suggestions. The first is the holding of elections to bring the local population into the decision making process. Darfur ownership is seen as a means by which to hear the *vox populi* or the voice of the people to propagate the adherence of a peace agreement. However, caution must be exercised in the application of this mechanism. As understood by Roland Paris (1997), the holding of elections in a democratic forum actually fosters competition that can lead to violence in fragile societies. In the context of Darfur, the lack of development as well as tribal and ethnic fragmentation puts the region in a class of societies where elections might be too destabilizing in addressing the legitimacy issue.

The second factor is the usage of a composite mandate for the warring parties in addressing the question of legitimacy. A composite mandate of Chapter VI for the parties present in Abuja (the GoS, JEM, and SLM) and a Chapter VII for those who are not (like the *Janjaweed*) might have a difficult time being enforced given the chaotic environment of Darfur. Trying to distinguish the warring parties in combat could be a difficult task for the third party security force called to enforce such a composite mandate.

The third suggestion of a Darfur-Darfur dialogue which will provide local conflict resolution mechanisms could have a hard time being implemented given the destruction of local communities in Darfur. The massive displacement which has occurred has created a forced urbanization of the people. With most of the traditional village structure destroyed in Darfur, these mechanisms might be lost in the new tribally mixed tent cities created to protect the people.

To address the division of political power after the CPA, the solution of decentralizing power is viewed as a difficult task. This is a result as commented on by Stiansen, with the notion of centralized power being a core concept within the GoS

(Stiansen, 2006 [Interview]). Getting the GoS and SPLM to give up more political power to include the warring factions of Darfur in the government might be difficult. This also could be another one of the reasons behind the peace talks taking such a long time to conclude.

The recommendation of land reform is believed to be a key area to deal with problems associated with wealth sharing. Due to the massive displacement that has occurred and the poverty of Sudan as a whole, compensation for the land of entire villages is an area which will be tough to address. One source might be the new found discoveries of oil within Darfur (Reuters, 2005a). This could serve as a means by which to provide for the much needed development of the region whose inhabitants have become wards of the IC. However, the lack of oil revenue sharing between the GoS and SPLM stipulated by the CPA has been cited as not being fulfilled (International Crisis Group, 2006b). The track record of the GoS's non-execution in other wealth sharing protocols casts doubt to its application of the hypothesis for research question D within the context of Darfur.

### *5.5 Summary*

The data collected in the interviews have attempted to determine the problems the IC has experienced with its security, humanitarian, and political activities. Based on this data, a case has been made for the actions the IC should take to improve its protection operations concerning the immediate and long term protection needs of the Darfur people. A discussion has followed each research question to expand on the described variables.

To better address the immediate protection priorities of the civilian population, the data recommends a transition from the command and control of the AMIS to the UNMIS. This move might solve the manpower, mandate, logistical, expertise shortcomings which the interviewees have associated with the third party security presence of the AU. The protection by presence strategy by the humanitarian operations stands to be strengthened

by having an around the clock security presence within the displacement camps. The obstacles that the GoS has posed to curb the IC's security and humanitarian activities can be countered with smart sanctions on its leadership and the leadership of the warring factions. The interviewees hope that these recommendations will have a beneficial impact on the challenges which the IC's security and humanitarian operations have encountered.

The more long term protection concerns of the Darfur population are attempting to be addressed by the peace talks in Abuja. As with security, the AU is the spearhead of the IC's diplomatic efforts to protect Darfur's population and find a lasting solution to the conflict. The data suggests that the hypothesis for research question C appears to be correct that the lack of commitment to the negotiated agreement is a problem for long term POC. In addressing this problem the hypothesis for research question D, based on Walter's credible commitment theory, the data has hinted the variables that make up the hypothesis might not suffice as the sole mechanisms in bringing peace to the region and thus alleviating the IC's protection shortfalls. Based on the problems that the IC has experienced politically, the interviewees recommend the Abuja process be supplemented. Ownership and the input of the people to any mediated agreement are critical to ensure its implementation in Darfur. A working ceasefire mechanism should be put into place to promote a more conducive negotiating environment. Finally, the political power in Sudan needs to be decentralized to expand the political process along with land reform to better address the wealth sharing component. The interviewees most familiar with the political situation believe these measures will better guide the peace process by insuring that any agreement that is reached will stand a greater chance of being committed to. It is logically viewed that with a committed peace agreement in place by all the parties in Darfur, the civilian casualties will be minimized and an environment conducive for return established.

## 6.0 Conclusion

This study has scientifically attempted to analyze some of the challenges facing the international community and to pose possible solutions to ameliorate the protection crisis in Darfur. The variables collected are based on the opinions of those working within the international community who are most familiar with the challenges encountered in Darfur. Based on the data it can be concluded that while there is consensus that the international community is having a positive impact on protecting the civilians of Darfur, much more could be done to improve the safety of the local population.

The answers for research question A provided insight into the security and humanitarian difficulties faced by the international community. The security presence is lacking on many fronts. Partially as a result, the humanitarian effort has suffered due the insecurity of the region. These difficulties have only been hampered furthered by the Sudanese government in obstructing relief and security operations.

Research question B has offered suggestions for addressing these challenges. The need to continue to improve the security efforts for POC is of critical importance in Darfur. The partnership between the global level represented by the UN and the regional by the AU must be preserved if protection work is to be effectively conducted. Only with a proper third party security presence in place can the humanitarian operations function successfully. The officials within the GoS camp must also be held responsible for their actions, smart sanctions and political condemnation are two devices which are viewed as having the desired effect of getting the leadership of the GoS to discontinue its obstructions.

The hypothesis for research question C concerning the lack of commitment is supported by the data. However, this is one of many problems encountered by the international community regarding its political efforts in Abuja. There are other problematic areas involving the legitimacy of those participating in Abuja, the absence of

a working ceasefire agreement, and certain mechanisms viewed as being difficult to address such as political power and wealth sharing.

Based on factors like legitimacy, the application of the hypothesis in answering research question D may not be enough to act as the sole mechanism in confronting the challenges faced by the international community. This hypothesis needs to be supplemented with other mechanisms such as elections, inputs from the local level, the establishment of a functioning ceasefire, decentralization of political power and land reform. These are the variables which the interviewees offer as suggestions for more effectively addressing the crisis in Darfur.

### *6.1 Implementation for the field*

The data collected from a group of experienced professionals on Darfur demonstrates the necessity of commitment to negotiated agreements within the POC field. The basis from which protection operations are established center on diplomatic settlements that guide the international community's security and humanitarian operations. Having a functioning conflict resolution mechanism is a precursor for adequately addressing POC concerns (Marshall, 2006 [Telephone interview]). The political assurances which are given by warring parties are vital for structuring an effective POC operation. A political framework determines what course of action the IC takes and how it guides the implementation process. The case of Darfur presents what happens when agreements are violated and how the security and humanitarian missions suffer as a result.

In achieving a political agreement, protection operations also need to take into account context specific factors to insure that any agreement which is reached will do a proper job in addressing the grievances of those involved. The exclusive nature of the peace talks in Abuja is a pitfall which other peace negotiations should be wary of.

## *6.2 Further research*

The on-going nature of the conflict Darfur and of the peace talks require continued follow-up. Despite a two year peace negotiation process, studies will need to be conducted to monitor the political situation and determine if the variables presented in this paper are still factors in the future. If the solutions that have been described by this study are implemented, their application will warrant further attention to determine if they are achieving the ends for which they were designed. The assumption by which the IC works – that if there is a peace agreement in place then by definition there will be safety – must also be tracked.

Examining the protection challenges from multiple points of view is one of the most accurate means one can begin to understand such a complex phenomenon. However, with qualitative research, generalizing outside the context of Darfur is problematic in applying the study's findings to other situations. More research on the protection challenges faced by the international community in other conflict theaters might be able to better assist in determining if the variables present in this study are universal.

The new securitization of providing for the safety of another state's civilians will hopefully be a field which the international community continues to support and support in a unified manner. The massive involvement needed to provide protection by the international community is a collective effort utilizing the strong suits of many different state and non-state actors. This is a shared burden and its development in the post-Cold War order might only continue to expand given the current trend in the rising number of civilians affected by internal conflict.

## Epilogue

Shortly after the conclusion of this study, a peace agreement was reached in Abuja on May 5, 2006. Regrettably the agreement was only signed by two of the four parties, the GoS and a faction of the SLM. As highlighted in this study, issues such as legitimacy have been mentioned as concerns by the interviewees in any agreement reached. The absence of two of the negotiating parties from the Darfur peace deal certainly adds doubt as to the ability of the agreement to bring peace to Darfur and assist with the protection efforts. Yet a politically structured mechanism has been agreed upon by some of the warring parties to revolve differences peacefully. The humanitarian and security operations of the international community will hopefully stand to benefit from an agreement ending hostilities. It is too soon to tell if the Darfur Peace Agreement might go down the path of other agreements involving Darfur such as the Humanitarian Ceasefire or if it will be honored. Unfortunately, the premise by which the exclusive nature of the peace talks in Abuja have been faulted for have gotten even more selective with signing of the Darfur Peace Agreement. Even before its implementation, the Darfur Peace Agreement already faces an uphill struggle. The international community is bound to this new political settlement guiding its efforts to assist in alleviating the suffering of those left in the wake of conflict. Hopefully, this will be the last chapter in the wide spread violence which has plagued the inhabitants of Darfur.



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## Appendix A: Master's thesis Interview Questions:

### *Note to the interviewee:*

- You can stop the interview at anytime
- Confidentiality of person and organization
- All data will be erased after the thesis is written
- Send copy of transcript for review (if requested)
- Copy of thesis (if requested)
- Definition of terms is provide below
- Please ask for clarification if there is anything you don't understand

### Definitions:

International community: the United Nations (UN), its regional partners, member states, and supporting agencies.

Protection of Civilians: 'Structures and Policies developed by the United Nations, States and other humanitarian actors, and based in humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict, ranging from the most immediate priorities of minimizing civilian casualties to more long-term priorities of promoting rule of law and security, law and order within a State (OCHA, 2003).'

### Please answer the following Interview Questions:

1. How have you come to take an interest in the conflict in Darfur?
2. What role has your organization played in assisting in the providing protection for Darfur people of Darfur?
3. How has the international community impacted the safety of the civilians of Darfur since its involvement in the region in terms of addressing their most immediate priorities (i.e. physical safety)?
4. How has the international community impacted the safety of the civilians of Darfur since its involvement in the region in terms of addressing their more long-term priorities (i.e. right of return)?
5. Based on your experiences what do you view as the problems the international community is encountering in providing for protection of civilians in terms of their most immediate priorities (i.e. physical safety)?
6. Based on your experiences what do you view as view as the problems the international community is encountering in providing for protection of civilians in terms of their more long-term priorities (i.e. right of return)?

7. How can the international community best address the problems it is encountering regarding civilian protection in terms of their most immediate priorities (i.e. physical safety)?
8. How can the international community best address the problems it is encountering regarding civilian protection in terms of their more long-term priorities (i.e. right of return)?
9. How do you foresee the application of the power sharing, wealth sharing, and 3rd party security arrangements in the Comprehensive Peace Agreement (CPA) in the south of Sudan as being applied in Darfur to better the international community's protection efforts?
10. What direction is the international community headed in Darfur in terms of protecting civilians by addressing both their most immediate priorities and their more long-term priorities?
11. Anything else you would like to add?

## Appendix B: Codebook

### **Research Question A) What problems do a selected group of professionals think the international community has encountered in addressing the most immediate protection priorities of the civilians of Darfur? (refer to text 5.1)**

According to the definition of the protection of civilians most immediate protection priorities are defined as civilian casualties. This question refers to what problems have the international community experienced in impacting their actual physical safety. This is divided up into three categories.

*Category 1: International community's approach to third party security presence (refer to text 5.1.1)*

Approach to security refers to any comments made concerning the problems of international community's (IC) sponsored presence in Darfur led by the African Union Mission in Sudan (AMIS) or just as the African Union (AU) affecting their ability to minimize civilian casualties. This includes references to troops, military personnel, and observers under the command of the AU.

Variable 1: Strategy (refer to text 5.1.1.1): all answers concerning the problems of direction or guidance of the security approach by the AU. Examples from the interviewees include:

*'...non-interventionist, Humanitarian Ceasefire Agreement monitoring mode.'*  
*'...peace keeping operation...'*  
*'...deployed under monitoring strategy...'*

Variable 2: Manpower (refer to text 5.1.1.2): all answers referring to the issues of size in number of personnel of AU force. Examples include:

*'Troop capacity too small...'*  
*'...we were too few...'*  
*'...AU would protect, but they are too small, they are not strong enough...'*

Variable 3: Mandate (refer to text 5.1.1.3): all answers dealing with the problems of the authoritative command or mandate given to AMIS to operate under by a higher power. Examples include:

*'You have the AU force, limited mandate, and bad mandate for political reasons [...]. It's very difficult for the AMIS to go out to provide for the protection of civilians.'*  
*'There is a lack of mandate...'*  
*'The mandate is weak; it should be stronger given the task.'*

Variable 4: Logistics (refer to text 5.1.1.4): all answers concerning the problems with resource capacity, equipment, and general support to AMIS security mission. Examples include:

*'No capacity for intelligent administration, communication, or transportation...'*  
*'Capabilities are also a big issue...'*  
*'...poorly equipped.'*

Variable 5: Expertise (refer to text 5.1.1.5): all answers about problems with training, interactions in certain situations, and general knowledge of the operations of the AMIS. Examples include:

*'Regardless of the fact that we had neither the resources even the expertise to under take a mission at the time we did.'*  
*'They lacked police training, they weren't very professional police...'*

Variable 6: Relationship between the AU and the UN (refer to text 5.1.1.6): all answers concerning problems with the relationship or communication between the AU and the UN. Examples include:

*'...the UN is almost at antagonistic relationships with the AU.'*  
*'But I know there is talking process, there is a communication problem with the AU and UN Security Council as well as NATO.'*

#### *Category 2: Humanitarian protection by presence strategy (refer to text 5.1.2)*

Refers to any problems encountered by humanitarian operations in regards to their strategy concerning protection. Protection by presence strategy deals with all concerns directed at the approach the humanitarian organizations have taken with their procedures, practices, and strategies involving protection or security in being present. Examples include:

*'...goal in starting the project there is to have a presence, to have a protection by presence strategy. However, I don't think it works very well.'*  
*'Well, it was very a much protection by presence in many ways. Just by being there we averted some bad things from happening. And testimony to that was as soon as we left the camp, bad things started to happen.'*  
*'They [AMIS] were to suppose to reside in the camp, my organization built them a shelter so they could stay over in the camp overnight, but they never did.'*

#### *Category 3: Government of Sudan (GoS) obstacles encountered by the IC (refer to text 5.1.3)*

Refers to the problems perceived as generated by the GoS which has hinder the IC's security and humanitarian operations in impacting their ability to minimize civilian casualties.

Variable 1: Lack of control (refer to text 5.1.3.1): any references to the GoS not being able to control, disarm, or stop its militia groups such as the *Janjaweed*. Examples include:

*'The [GoS] president had promised to the secretary general to disarm the Janjaweed that was a promise made on the first of July 2004, but he didn't do it.'*  
*'I just don't think the GoS can disarm the Janjaweed.'*

Variable 2: Blocking of the IC's tactical efforts (refers to text 5.1.3.2): answers that mention the harassment of IC personnel, blocking or slowing down the delivery of equipment and supplies for IC operations. Examples include:

*'People have been stopped at the airport and refused to go out of the airport even though they have the proper ID.'*

*'Even beginning in summer of 2004 there were many obstacles that Khartoum put up, these were travel obstacles, in the importation of medical equipment. This equipment had to be tested in Sudanese laboratories.'*

*'Denying entry to AU helicopters, fuel, and the armor personnel carriers from Canada which had to wait in Senegal for many months.'*

**Research question B) According to the professionals, what can be done to address these problems in order to more effectively impact the immediate protection priorities of the civilians of Darfur? (refer to text 5.2)**

This question refers to the solutions of the problems stated under research question A which the international community is experiencing in impacting civilian's actual physical safety in an effort to minimize casualties. This is as well is divided up into the three previously stated categories.

*Category 1: Solutions to IC's approach to security (refer to text 5.2.1)*

Approach to security refers to any comments made concerning the solutions to the problems experienced by the international community's (IC) sponsored presence in Darfur led by the African Union Mission in Sudan (AMIS) or just as the African Union (AU) affecting their ability to minimize civilian casualties. This includes references to troops, military personnel, and observers under the command of the AU.

Variable 1: Changing Strategy (refers to text 5.2.1.1): all comments concerning the solutions to the problems of direction or guidance of the security approach by the AU. Examples from the interviewees include:

*'We need a peacemaking, not a peacekeeping force because there is no peace to keep.'*

*'But in Darfur, we need them in much more robust way. Yeah, you can call it a peace-enforcement operation.'*

Variable 2: Increase manpower (refers to text 5.2.1.2): any references to increasing the size and strength of the security force in Darfur. Examples include:

*'...I have always asked for a bigger and stronger force with a broader mandate.'*

*'...we are looking at ways and means of acquiring more force multipliers and enablers so that we can better protect.'*

Variable 3: Strengthen Mandate (refers to text 5.2.1.3): recommendations to strengthen, broaden, improve, increase protection activities, make more robust or change to a chapter seven, the mandate to protect for the AU. Examples include:

*'Of course if you had a stronger mandate, chapter seven you then could have better protection of civilians.'*

*'I personally think that it is time to move the AMIS peace support operation from a chapter six mandate to a higher level, chapter seven.'*

Variable #4: Improve Logistics (refers to text 5.2.1.4): suggestions pertain to more resource support, specific equipment requests, and capacity for the AU.

Examples include:

*'Getting the kind of logistical support, airlifting in supplies, and getting additional kind of vehicles...'*

*'We need more helicopters to improve the security situation.'*

Variable #5: Training to increase expertise (refers to text 5.2.1.5): recommendations for the AMIS to be trained in sensitivity matters and have knowledge on the background of the conflict situation in Darfur. Examples include:

*'There needs to be sensitivity training for AMIS personnel.'*

*'These guys [AMIS] need to be brief on situation as to what the conflict is about.'*

Variable #6: Relationship between the AU and the UN with command of security transferring to the UN (refer to text 5.2.1.6): Suggestions for transferring command, control, and leadership from the AU to the UN along with maintaining relationship or partnership. Examples include:

*'...to replace the AU with actual blue helmet [UN] peacekeepers with an actual mandate to protect people.'*

*'...if the UN are so lucky to keep the AU troops that are present at the moment, but make them UN troops.'*

### *Category 2: Continuous presence (refers to 5.2.2)*

Refers to solutions proposed to the problems encountered by humanitarian operations strategy. Solution to Humanitarian strategy suggests an increased/constant presence of IC personnel such as the AMIS living around the clock to better POC. Examples include:

*'We have done a lot of pressuring to get the AMIS to have a presence around the camps and that has made a big difference.'*

*'The AMIS needs to reside in the displacement camps.'*

### *Category 3: Application of smart and political sanctions (refer to text 5.2.3)*

Refers to proposals to address the problems the GoS has in controlling their activities such as their militia groups or the obstacles put in place to hinder the efforts of the IC's humanitarian and security efforts. These solutions deal with the usage or application of smart sanctions for individuals in leadership positions of the warring parties or political sanctions which address government as a whole. Examples include:

*'Oh yes, continue with the sanctions on the basis of 1591, Security Council Resolution, economic sanctions which would make sense, but not sanctions against the population, but sanctions against those who are responsible.'*  
*'You know smart sanctions is a concept that can be developed.'*  
*'I think these political sanctions are more, like the AU chairmanship debacle now. I think that it was a fairly tough lesson to learn.'*

**Research Question C) What problems do a selected group of professionals think the international community has encountered in addressing the more long term protection priorities of the civilians in Darfur? (refer to text 5.3)**

According to the definition of the protection of civilians, the more long term protection priorities of the civilians refer to promoting rule of law and security within a state to foster an environment of return for the displaced. The problems the IC has experienced in this respect center on the political or diplomatic challenges faced by the IC. These come under six categories

*Category 1: Lack of commitment (refer to text 5.3.1)*

Answers include the lack or deficiency in committing, honoring, disregard or adhering to politically negotiation agreements by the warring parties.

*'Disregard for the Humanitarian Ceasefire Agreement by all parties in the conflict is the single most attributed source for the lack of protection and physical safety of civilians.'*

*'The international community has limitations, this is a huge place, until you have some kind of commitment by the authorities to live up to agreements to control the people that need to be controlled, The ability and the strength of the international community is limited, it can't do the impossible.'*

*Category 3: Peace Process in Abuja (refer to text 5.3.2)*

This refers to issues within the peace talks either as to the composition of the parties negotiating or the AU's handling of the talks. These are divided up into five variables.

*Variable #1: Legitimacy in Abuja (refer to text 5.3.2.1)*

Legitimacy refers to rights dictated by law. The peace talks are viewed as not being legitimate due to the exclusive or limited nature of representation of people and parties in the political negotiation environment. Examples include:

*'Here in the case in Darfur you have a legitimacy question, but the question can they actually deliver, are the people with them.'*

*'Not many people feel representative by the rebels. The rebels don't do anything to get support, for instance they don't care for the IDP's.'*

*'...but there are many parties who not even present in Abuja such as the Arab militia groups.'*

*Variable #2: Fragmentation (refers to text 5.3.2.2): all comments direct at the division, split, or lack of unity within the warring parties. Examples include:*



*'Yeah, but also rebel movements who are split, warlords.'*  
*'They have tried to unite them all in the SLM and the JEM, the SLM has broken into factions.'*

Variable #3: Quality of the Leadership (refers to text 5.3.2.3): all comments directed at the leaders of the rebel movements described as warlords or lacking in education or leadership. Examples include:

*'They lack good leaders and good negotiators.'*  
*'They have very little education.'*  
*'Big gap, quality not very high among the leaders'*

Variable #4: Quality of the Negotiators (refers to text 5.3.2.4): all comments towards the negotiators in Abuja concerning their connection to the region of Darfur. Examples include:

*'...if you talk with the leaders in Abuja and you ask where do you live? Birmingham, sir; Amsterdam, sir; I am coming from Chicago. They all come from outside. It really means they don't have a real life need to change their own situation outside.'*

Variable #5: Overfacilitation of peace talks (refers to text 5.3.2.5): all references to the way in which the AU is carrying out the peace talks by overfacilitating. Examples include:

*'They are being paid to negotiate, not being paid to reach a result. To reach a result would mean for many they would not get a per diem anymore. They don't have a power organization. So why should they reach a result?'*  
*'Now they are overfacilitated from the outside, they are feather bedding.'*

*Category #4: Lack of a functioning ceasefire agreement (refer to text 5.3.3)*

All comments directed at the lack of a working, effective, or functioning ceasefire agreement, institution or mechanism in place between the warring parties in Darfur. Examples include:

*'...the ceasefire agreement from N'Djamena which is flawed fully.'*  
*'Fifthly, they set up a ceasefire agreement and an institution to address the issues if there would be a problem, now the institution doesn't work.'*

*Category #5: Political power (refer to text 5.3.4)*

All references to the issue of political power sharing between parties including issues of past agreements of political power sharing such as the CPA. Examples include:

*'...the issue of the power sharing arrangement with the CPA; it is now more difficult to solve the crisis in Darfur.'*

*‘...political groups with limited popular mandate, they have monopolized power for their own benefit.’*

*Category #6: Wealth sharing (refer to text 5.3.5)*

Comments dealing with the problems encountered by the sharing of wealth. Issues include access and competition over land and environmental degradation and past agreements such as the CPA.

Examples include:

*‘...issues of land.’*

*‘One of the most important levels that dictates one of the more long term levels of the war is the environmental degradation, competition for land.’*

**Research Question D) According to the professionals, what can be done to address these problems in order to more effectively impact the long term protection priorities of the civilians of Darfur? (refer to text 5.4)**

The solutions to the problems presented are in regards to the more long term protection priorities of the civilians referring to the promotion of the rule of law and security within a state to foster an environment of return for the displaced. These solutions fall the six previously listed categories.

*Category #1: Credible commitment theory to address the lack of commitment (refers to text 5.4.1)*

These recommendations deal with addressing the lack of commitment of the warring parties to a negotiated agreement by the principles of the Walter’s credible commitment theory (2002) in Abuja or embodied in the CPA for the long term protection needs of civilians. This refers to their application or relevance as a long term solution. Examples include:

*‘Well obviously a political solution has to include power and wealth sharing.’*

*‘I think, yes, I think the basic principles of the CPA can be applied to the situation in Darfur.’*

*‘Basically, I do not see it as a long term solution, but it will lay the foundations.’*

*Category #2: Elections, composite mandate, and Darfur-Darfur dialogue (refers to text 5.4.2)*

These recommendations are for the lack of legitimacy, representation of the people or parties from the negotiations. This elections, participation, or application of different devices such a composite mandate to address the legitimacy question. It also refers to supplementing the peace talks in Abuja by getting local mechanisms in place and the holding of Darfur-Darfur dialogue for the reconciliation process. Examples include:

*‘We need elections to get a kind of consensus.’*

*‘...an agreement that is owned by the people, such as elections and so on.’*

*‘There will be more Chapter VII, than chapter six. I will it a composite mandate, simple language, Chapter VI for the good guys, chapter seven for the bad guys.’*

*Those who are reaching a peace agreement in Abuja can be rewarded with a chapter six mandate. You want us to help, you to keep the peace, but there are many people who are not even present in Abuja.'*

*'There are many, many local mechanisms for conflict resolution. We hope through the Darfur-Darfur conference these mechanisms will come into play.'*

*'...you could have a Darfur-Darfur dialogue leading to much better outcomes of wealth and power [sharing] than to the provisional outcomes of Abuja.'*

*Category #3: Working ceasefire agreement (refers to text 5.4.3)*

Answers pertaining to a getting a functioning or working ceasefire mechanism, device or agreement in place that is not violated. Examples include:

*'There is a need to have a proper ceasefire agreement...'*

*'That means I am very strongly in favor of a strong ceasefire agreement...'*

*Category #4: Decentralize political power (refers to text 5.4.4)*

Suggestions for addressing the political power issue within the peace negotiations such the decentralization of power. Examples included:

*'They must include the local parties and Khartoum, the AU, the Darfurians themselves and they will only go for a political system that is very decentralized.'*

*'...to decentralize as much as possible...'*

*Category #5: Land reform (refers to text 5.4.5)*

Suggestions for solving wealth power problems in the political negotiations with mechanisms addressing the land issue with land reform examples include access to land or compensation for property. Examples included.

*'...the international community has tried to impact the long term safety of civilians by addressing the land issue, right of return, all the related issues, part of the negotiations.'*

*'...access to land, right of return and you will see when the text is finalized that we have a lot of that.'*